

IIT Chicago Kent

SEP 06

College of Law Library



1995

Illinois Register

Rules of Governmental Agencies

Volume 19, Issue 35—September 01, 1995

Pages 12328 - 12562

Index Department
Administrative Code Div.
111 East Monroe Street
Springfield, IL 62756
(217) 782-7017

published by
George H. Ryan
Secretary of State

TABLE OF CONTENTS

September 1, 1995 Volume 19, Issue 35

PROPOSED RULES

ALCOHOLISM AND SUBSTANCE ABUSE, DEPARTMENT OF	
Schedule Of Controlled Substances	
77 Ill. Adm. Code 2070	12328
Triplicate Prescription Control Program	
77 Ill. Adm. Code 2080	12355
CENTRAL MANAGEMENT SERVICES, DEPARTMENT OF	
Pay Plan	
80 Ill. Adm. Code 310	12365
CHILDREN AND FAMILY SERVICES, DEPARTMENT OF	
Appeal Of Foster Family Home License Denials By Relative Caregivers	
89 Ill. Adm. Code 338	12408
INSURANCE, DEPARTMENT OF	
Uniform Medical Claim And Billing Forms	
50 Ill. Adm. Code 2017	12423
SAVINGS AND RESIDENTIAL FINANCE, COMMISSIONER OF	
Real Estate Appraiser Certification	
68 Ill. Adm. Code 1455	12431

ADOPTED RULES

CIVIL SERVICE COMMISSION	
Civil Service Commission	
80 Ill. Adm. Code 1	12451
HEALTH CARE COST CONTAINMENT COUNCIL, ILLINOIS	
Hospital Price Information	
77 Ill. Adm. Code 2530	12478
Penalties	
77 Ill. Adm. Code 2540	12485
PROFESSIONAL REGULATION, DEPARTMENT OF	
Veterinary Medicine And Surgery Practice Act Of 1994	
68 Ill. Adm. Code 1500	12488
SECRETARY OF STATE	
Public Library Construction Grants	
23 Ill. Adm. Code 3060	12493

EMERGENCY RULES

SAVINGS AND RESIDENTIAL FINANCE, COMMISSIONER OF
Real Estate Appraiser Certification
68 Ill. Adm. Code 1455 12503

NOTICE OF PUBLIC HEARINGS

PUBLIC AID, DEPARTMENT OF
Aid To Families With Dependent Children
89 Ill. Adm. Code 112, et. al. 12523

NOTICE OF PUBLIC INFORMATION

ENVIRONMENTAL PROTECTION AGENCY
Listing Of Derived Water Quality Criteria 12527

REGULATORY AGENDA

PUBLIC AID, DEPARTMENT OF
Practice In Administrative Hearings
89 Ill. Adm. Code 104, et. al. 12533

SECRETARY OF STATE
Certificates Of Title, Registration Of Vehicles
92 Ill. Adm. Code 1010, et. al. 12550

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Second Notices Received 12552

EXECUTIVE ORDERS AND PROCLAMATIONS**PROCLAMATIONS**

95-390 Child Immunization Month 12553
95-391 Ecuadorian Day 12553
95-392 Schwaben Days 12553
95-393 School Safety Patrol Week 12554
95-394 Breastfeeding Week 12554
95-395 Nena Ivon Day 12555
95-396 Bill Cullers Days 12555
95-397 Celebrating the Next General of the Illinois
Cooperative Soil Survey Partnership 12555
95-398 Forest "Bill" Cullers Days (Revised) 12556
95-399 Women's Suffrage Day 12556
95-400 Drug Free Youth Days 12557
95-401 Gene and Linda Eagleson Days 12557

95-402	Hispanic Heritage Month	12558
95-403	Steve Lasker Day	12558
95-404	Bud Billiken Day	12559
95-405	Pollution Control Day	12559
95-406	Seymour Simon Day	12560
95-407	Centennial Jubilee Mass Day	12560
95-408	Mexican Independence Month	12561
95-409	Chicago Children's Film Week	12561
95-410	Hardware Industry Week	12562

Editor's Note: The Cumulative Index and Sections Affected Index will be printed on a quarterly basis. The printing schedule for the quarterly and annual indexes are as follows:

April 14, 1995 - Issue 15: Through	March 31, 1995
July 14, 1995 - Issue 28: Through	June 30, 1995
October 15, 1995 - Issue 37: Through	September 30, 1995
January 12, 1996 - Issue 2: Through	December 31, 1995 (Annual)

REGISTER PUBLICATION SCHEDULE 1995

Material Rec'd after 12:00 p.m. on:	And before 12:00 p.m. on:	Will be in Issue #:	Published on:	Material Rec'd after 12:00 p.m. on:	And before 12:00 p.m. on:	Will be in Issue #:	Published on:
Dec. 20, 1994	Dec. 27, 1994	1	Jan. 6, 1995	June 27, 1995	July 3, 1995	28	July 14, 1995
Dec. 27, 1994	Jan. 3, 1995	2	Jan. 13, 1995	July 3, 1995	July 11, 1995	29	July 21, 1995
Jan. 3, 1995	Jan. 10, 1995	3	Jan. 20, 1995	July 11, 1995	July 18, 1995	30	July 28, 1995
Jan. 10, 1995	Jan. 17, 1995	4	Jan. 27, 1995	July 18, 1995	July 25, 1995	31	Aug. 4, 1995
Jan. 17, 1995	Jan. 24, 1995	5	Feb. 3, 1995	July 25, 1995	Aug. 1, 1995	32	Aug. 11, 1995
Jan. 24, 1995	Jan. 31, 1995	6	Feb. 10, 1995	Aug. 1, 1995	Aug. 8, 1995	33	Aug. 18, 1995
Jan. 31, 1995	Feb. 7, 1995	7	Feb. 17, 1995	Aug. 8, 1995	Aug. 15, 1995	34	Aug. 25, 1995
Feb. 7, 1995	Feb. 14, 1995	8	Feb. 24, 1995	Aug. 15, 1995	Aug. 22, 1995	35	Sept. 1, 1995
Feb. 14, 1995	Feb. 21, 1995	9	Mar. 3, 1995	Aug. 22, 1995	Aug. 29, 1995	36	Sept. 8, 1995
Feb. 21, 1995	Feb. 28, 1995	10	Mar. 10, 1995	Aug. 29, 1995	Sept. 5, 1995	37	Sept. 15, 1995
Feb. 28, 1995	Mar. 7, 1995	11	Mar. 17, 1995	Sept. 5, 1995	Sept. 12, 1995	38	Sept. 22, 1995
Mar. 7, 1995	Mar. 14, 1995	12	Mar. 24, 1995	Sept. 12, 1995	Sept. 19, 1995	39	Sept. 29, 1995
Mar. 14, 1995	Mar. 21, 1995	13	Mar. 31, 1995	Sept. 19, 1995	Sept. 26, 1995	40	Oct. 6, 1995
Mar. 21, 1995	Mar. 28, 1995	14	Apr. 7, 1995	Sept. 26, 1995	Oct. 3, 1995	41	Oct. 13, 1995
Mar. 28, 1995	Apr. 4, 1995	15	Apr. 14, 1995	Oct. 3, 1995	Oct. 10, 1995	42	Oct. 20, 1995
Apr. 4, 1995	Apr. 11, 1995	16	Apr. 21, 1995	Oct. 10, 1995	Oct. 17, 1995	43	Oct. 27, 1995
Apr. 11, 1995	Apr. 18, 1995	17	Apr. 28, 1995	Oct. 17, 1995	Oct. 24, 1995	44	Nov. 3, 1995
Apr. 18, 1995	Apr. 25, 1995	18	May 5, 1995	Oct. 24, 1995	Oct. 31, 1995	45	Nov. 13, 1995 (Mon.)
Apr. 25, 1995	May 2, 1995	19	May 12, 1995	Oct. 31, 1995	Nov. 7, 1995	46	Nov. 17, 1995
May 2, 1995	May 9, 1995	20	May 19, 1995	Nov. 7, 1995	Nov. 14, 1995	47	Nov. 27, 1995 (Mon.)
May 9, 1995	May 16, 1995	21	May 26, 1995	Nov. 14, 1995	Nov. 21, 1995	48	Dec. 1, 1995
May 16, 1995	May 23, 1995	22	June 2, 1995	Nov. 21, 1995	Nov. 28, 1995	49	Dec. 8, 1995
May 23, 1995	May 30, 1995	23	June 9, 1995	Nov. 28, 1995	Dec. 5, 1995	50	Dec. 15, 1995
May 30, 1995	June 6, 1995	24	June 16, 1995	Dec. 5, 1995	Dec. 12, 1995	51	Dec. 22, 1995
June 6, 1995	June 13, 1995	25	June 23, 1995	Dec. 12, 1995	Dec. 19, 1995	52	Dec. 29, 1995
June 13, 1995	June 20, 1995	26	June 30, 1995	Dec. 19, 1995	Dec. 26, 1995	1	Jan. 5, 1996
June 20, 1995	June 27, 1995	27	July 7, 1995	Dec. 26, 1995	Jan. 2, 1996	2	Jan. 12, 1996

Please note: When the Register deadline falls on a State holiday, the deadline becomes 4:30 p.m. on Monday (the day before).

Printed by authority of the
State of Illinois
September 1995 - 890 - GA-0203

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENT

1) Heading of the Part:	Schedule of Controlled Substances	2070.1960	New
2) Code Citation:	77 Ill. Adm. Code 2070	2070.1962	New
3) Section Numbers:	Proposed Action:	2070.1964	New
2070.122	New	2070.1966	New
2070.124	Renumbered	2070.1970	New
2070.130	Amended	2070.1972	New
2070.145	Amended	2070.1974	New
2070.146	New	2070.1976	New
2070.148	Amended	2070.1978	New
2070.157	New	2070.1980	New
2070.247	Renumbered	2070.1982	New
2070.272	New	2070.1984	New
2070.273	New	2070.1986	New
2070.297	New	2070.1988	New
2070.388	New	2070.1990	New
2070.397	New	2070.1992	New
2070.606	New	2070.2217	New
2070.608	New	2070.2218	New
2070.640	Amended	2070.2232	New
2070.655	Amended	2070.2241	New
2070.667	New	2070.2242	New
2070.690	Amended	2070.2244	New
2070.695	Amended	2070.2248	New
2070.700	Amended	2070.2256	New
2070.720	New	2070.2258	New
2070.725	New	2070.2259	New
2070.730	New	2070.2266	New
2070.735	New	2070.2268	New
2070.740	New	2070.2272	New
2070.745	New	2070.2277	New
2070.815	New	2070.2291	New
2070.820	New	2070.2292	New
2070.825	New	2070.2293	New
2070.830	New	2070.2294	New
2070.835	New	2070.2297	New
2070.920	Amended	2070.2312	New
2070.999	New	2070.2317	New
2070.1120	Amended	2070.2322	New
2070.1187	New	2070.2350	New
2070.1193	New	2070.2503	New
2070.1330	New	2070.2515	New
2070.1520	New	2070.2545	New
2070.1550	Amended	2070.2650	New
2070.1750	Renumbered	2070.2655	New
2070.1868	New	2070.2750	New

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENT

1) Heading of the Part:	Schedule of Controlled Substances	2070.1960	New
2) Code Citation:	77 Ill. Adm. Code 2070	2070.1962	New
3) Section Numbers:	Proposed Action:	2070.1964	New
2070.122	New	2070.1966	New
2070.124	Renumbered	2070.1970	New
2070.130	Amended	2070.1972	New
2070.145	Amended	2070.1974	New
2070.146	New	2070.1976	New
2070.148	Amended	2070.1978	New
2070.157	New	2070.1980	New
2070.247	Renumbered	2070.1982	New
2070.272	New	2070.1984	New
2070.273	New	2070.1986	New
2070.297	New	2070.1988	New
2070.388	New	2070.1990	New
2070.397	New	2070.1992	New
2070.606	New	2070.2217	New
2070.608	New	2070.2218	New
2070.640	Amended	2070.2232	New
2070.655	Amended	2070.2241	New
2070.667	New	2070.2242	New
2070.690	Amended	2070.2244	New
2070.695	Amended	2070.2248	New
2070.700	Amended	2070.2256	New
2070.720	New	2070.2258	New
2070.725	New	2070.2259	New
2070.730	New	2070.2266	New
2070.735	New	2070.2272	New
2070.740	New	2070.2277	New
2070.745	New	2070.2291	New
2070.815	New	2070.2292	New
2070.820	New	2070.2293	New
2070.825	New	2070.2294	New
2070.830	New	2070.2297	New
2070.835	New	2070.2312	New
2070.920	Amended	2070.2317	New
2070.999	New	2070.2322	New
2070.1120	Amended	2070.2350	New
2070.1187	New	2070.2503	New
2070.1193	New	2070.2515	New
2070.1330	New	2070.2545	New
2070.1520	New	2070.2650	New
2070.1550	Amended	2070.2655	New
2070.1750	Renumbered	2070.2750	New
2070.1868	New	2070.2750	New

NOTICE OF PROPOSED AMENDMENT

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENT

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENT

4) Statutory Authority: Illinois Controlled Substances Act [720 ILCS 5/70]5) A Complete Description of the Subjects and Issues Involved: The rule is being amended to be consistent with federal scheduling and modifications of the State Controlled Substances Act and will regulate the purchase of Ephedrine, a potentially dangerous drug.6) Will this rulemaking replace any emergency rulemaking currently in effect? No7) Does this rulemaking contain an automatic repeal date? No8) Does this rulemaking contain incorporations by reference? No9) Are there any other proposed rulemakings pending on this part? No10) Statement of Statewide Policy Objectives: A Statement of Statewide Policy Objectives is not necessary.11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons should address their written comments concerning these rules within 45 days to:

Ronald J. Vlasaty
Deputy Director for the Bureau of Administration
Department of Alcoholism and Substance Abuse
James R. Thompson Center
100 W. Randolph Street, Suite 5-600
Chicago, IL 60601

or

Philip Watt
Legislative Liaison
Department of Alcoholism and Substance Abuse
222 S. College Street, Second Floor
Springfield, Illinois 62704

12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not for profit corporations affected: None of which the department is aware.
- B) Reporting, bookkeeping or other procedures required for compliance: No new reporting is required.
- C) Types of professional skills necessary for compliance: No new or additional professional skills are necessary.

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENT

TITLE 77: PUBLIC HEALTH
 CHAPTER X: DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE
 SUBCHAPTER e: CONTROLLED SUBSTANCES ACTIVITIES

PART 2070
 SCHEDULE OF CONTROLLED SUBSTANCES

SUBPART A: GENERAL

Section	
2070.10	Definitions
2070.20	Designated Products
2070.30	Names Given to Listed Drugs
2070.40	Excluded Substances
2070.50	Excepted Compounds

SUBPART B: SCHEDULE OF CONTROLLED SUBSTANCES--SCHEDULE I

Section	Schedule I--Criteria
2070.100	Schedule I--Enumeration
2070.110	Opiates
2070.115	Acetylmethadol
2070.120	Acetyl-alpha-methylfentanyl
2070.122	Alfentanil (Renumbered)
2070.124	Allylprodine
2070.125	Alphacetylmethadol
2070.130	Alphameprodine
2070.133	Alpha-methadol
2070.140	Alpha-methylfentanyl
2070.145	Alpha-methylthiوفentanyl
2070.146	1-methyl-4-phenyloxypiperidine (MPPP)
2070.147	PEPAP 1-(2-phenylethyl)-4-phenyl-4-acetyloxytripetidine +PEPAP+
2070.148	Benzethidine
2070.150	Betacetylmethadol
2070.155	Beta-hydroxyfentanyl
2070.157	Betameprodine
2070.160	Betameprodine
2070.165	Betamethadol
2070.170	Betaprodine
2070.175	Clonitazene
2070.180	Dextromoramide
2070.185	Diampicride
2070.190	Diethylithiambutene
2070.195	Difenoxin
2070.200	Dimenoxadol
2070.205	Dimenheptanol
2070.210	Dimethylithiambutene
2070.220	Dioxadipertylbutyrate
2070.230	Dipipanone
2070.235	Ethylmethylthiambutene
2070.240	Etonitazene
2070.245	Etoxeridine
2070.247	3-Methylfentanyl (Renumbered)
2070.250	Furthidine
2070.255	Hydroxepethidine
2070.260	Ketobemidone
2070.265	Levomoramide
2070.270	Levophencylmorphan
2070.272	3-Methylfentanyl
2070.273	3-Methylthiofentanyl
2070.275	Morpheridine
2070.280	Noracetylmethadol
2070.285	Norlevorphanol
2070.290	Normethadone
2070.295	Norpipanone
2070.297	Para-fluorofentanyl
2070.300	Phenadoxone
2070.310	Phenampromide
2070.320	Phenomorphan
2070.330	Phenoperidine
2070.340	Piriramide
2070.350	Proheptazine
2070.360	Properidine
2070.370	Propiram
2070.380	Racemoramide
2070.385	Sufentanil (Renumbered)
2070.388	Thiوفentanyl
2070.390	Tilidine
2070.395	Trimeperidine
2070.397	Beta-hydroxy-3-methylfentanyl
2070.400	Opium Derivates
2070.405	Acetorphine
2070.410	Acetylidihydocodeine
2070.415	Benzylmorphine
2070.420	Codeine methyldibromide
2070.425	Codeine-N-Oxide
2070.430	Cyzenorphine
2070.435	Desmorphine
2070.440	Diacetyldihydromorphine (Dihydroheroin)
2070.445	Dihydromorphone
2070.450	Drotesbanol
2070.455	Etorphine (except hydrochloride salt)
2070.460	Heroin
2070.465	Hydromorphone
2070.470	Methyldesorophine
2070.475	Methylidihydromorphone

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENT

2070.480	Morphine methylbromide
2070.485	Morphine methylsulfonate
2070.490	Morphine-N-Oxide
2070.495	Myrophine
2070.500	Nicocodeine
2070.505	Nicomorphine
2070.510	Normorphine
2070.515	Pholcodine
2070.520	Thebacon
2070.600	Hallucinogenic Substances
2070.605	3, 4 Methylenedioxyamphetamine
2070.606	Alphahethyltryptamine
2070.607	3,4 Methylenedioxymethamphetamine (MDMA)
2070.608	3,4-methylenediox-N-ethylamphetamine
2070.610	3-methoxy-4, 5-methylenedioxymethamphetamine (MMDA)
2070.615	3, 4, 5-trimethoxyamphetamine (TMA)
2070.620	5-hydroxydimethyltryptamine (Bufotenine)
2070.625	Diethyltryptamine (DMT)
2070.630	Dimethyltryptamine (DMT)
2070.635	4-methyl, 2, 5-dimethoxyamphetamine (DOM, STP)
2070.640	Ibogaine
2070.645	Lyseric acid diethyl-amide
2070.650	3, 4, 5-trimethoxyphenethylamine (Mescaline)
2070.655	Peyote
2070.660	N-ethyl-3-piperidyl benzoate (JB 318)
2070.665	N-methyl-3-piperidyl benzoate
2070.667	N-hydroxy-3,4-methylenedioxymphetamine
2070.670	Parahexyl
2070.675	Psilocybin
2070.680	Psilocyn
2070.685	Alpha-methyltryptamine (AMT)
2070.690	2,5-dimethoxyamphetamine BMA
2070.695	4-bromo-2,5-dimethoxyamphetamine BMA
2070.700	4-methoxyamphetamine (4-methoxy alpha -methylphenethylamine; paramethoxyamphetamine. PMA)
2070.705	Thiophene analog of phenylcyclidine ('TPCP')
2070.710	Ethylamine analog of phenylcyclidine
2070.715	Pyrrolidine analog of phenylcyclidine
2070.720	5-methoxy-3,4-methylenedioxymethamphetamine
2070.725	2,5-dimethoxy-4-ethylamphetamine
2070.730	1-(1-(2-thienyl) cyclohexyl) pyrrolidine
2070.735	3,4-methylenediox-amphehtamine
2070.740	Thiophene analog of phenylcyclidine
2070.745	Buferotinine
2070.750	Depressants
2070.755	Mecloqualone
2070.760	Methaqualone
2070.800	Stimulants

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENT

2070.805	Fenethylline
2070.810	N-ethylamphetamine
2070.815	Aminorex
2070.820	Methcathinone
2070.825	Chathinone
2070.830	N,N-dimethylamphetamine
2070.835	(+ or -) cis-4-methylaminorex
	SUBPART C: SCHEDULE OF CONTROLLED SUBSTANCES--SCHEDULE II
Section	
2070.900	Schedule II--Criteria
2070.910	Schedule II--Enumeration
2070.915	Narcotics
2070.920	Opium and Opiates
2070.925	Raw Opium
2070.930	Opium Extracts
2070.935	Opium Fluid Extracts
2070.940	Powdered Opium
2070.945	Granulated Opium
2070.950	Tincture of Opium
2070.955	Codine
2070.960	Ethylmorphine
2070.965	Etorphine Hydrochloride
2070.970	Hydrocodone
2070.975	Hydromorphone
2070.980	Metopon
2070.985	Morphine
2070.990	Oxycodone
2070.995	Oxymorphone
2070.998	Thebaiane
2070.999	Thebaiane-derived butorphanol
	Equivalencies
2070.1100	Opium poppy and poppy straw
2070.1110	Cocaine
2070.1120	Concentrate of Poppy Straw
2070.1130	Opiates
2070.1150	Alphaprodine
2070.1155	Anileridine
2070.1160	Bezitramide
2070.1165	Bulk Dextropropoxyphene
2070.1170	Dihydrocodeine
2070.1175	Diphenoxylate
2070.1180	Fentanyl
2070.1185	Alfentanil
2070.1186	Carfentanil
2070.1190	Isomethadone
2070.1193	Levo-alphaacetylmethadol

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENT

2070.1195	Levomethorphan
2070.1200	Levorphanol
2070.1205	Metazocine
2070.1210	Methadone
2070.1215	Methadone--Intermediate
2070.1220	Moramide--Intermediate
2070.1225	Meperidine
2070.1230	Pethidine-Intermediate-A
2070.1235	Pethidine-Intermediate-B
2070.1240	Pethidine-Intermediate-C
2070.1245	Phenazocine
2070.1250	Piminodine
2070.1255	Racemethorphan
2070.1260	Racemorphan
2070.1265	Sufentanil
2070.1300	Stimulants
2070.1310	Amphetamine
2070.1320	Methamphetamine
2070.1330	Methylphenidate
2070.1370	Phenmetrazine
2070.1400	Depressants
2070.1405	Methadqualone (Renumbered)
2070.1410	Amobarbital
2070.1420	Secobarbital
2070.1425	Pentoobarbital
2070.1430	Phencyclidine
2070.1435	Pentazocine
2070.1438	Glutethimide
2070.1500	Immediate Precursors
2070.1505	Amphetamine and Methamphetamine
2070.1510	Phencyclidine
2070.1520	Nabilone
2070.1550	Dronabinol (synthetic)

SUBPART D: SCHEDULE OF CONTROLLED SUBSTANCES--SCHEDULE III

Section	
2070.1600	Schedule III--Criteria
2070.1605	Schedule III--Enumeration
2070.1610	Stimulants
2070.1615	Excepted Compounds
2070.1620	Benzphetamine
2070.1625	Chlorphentermine
2070.1630	Cloztermine
2070.1635	Mazindol (Renumbered)
2070.1640	Phendimetrazine
2070.1700	Other Stimulants
2070.1750	Methylphenidate (Renumbered)

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENT

	NOTICE OF PROPOSED AMENDMENT
2070.1800	Depressants
2070.1805	Barbiturates
2070.1810	Barbiturates - Suppository Dosage Form
2070.1825	Derivatives of Barbituric Acid
2070.1830	Chlorhexadol
2070.1835	Glutethimide (Renumbered)
2070.1840	Methyprylon
2070.1845	Sulfondiethylmethane
2070.1850	Sulfonethylethylmethane
2070.1855	Sulfomethane
2070.1860	Lysergic Acid Amide
2070.1865	Tryptamine or Zolazepam or Both
2070.1868	Pentazocine and Asprin Compound
2070.1875	Pentazocine and Acetaminophine
2070.1880	Pentazocine and Naloxone
2070.1890	Nalorphine
2070.1900	Narcotic Drugs
2070.1905	Codeine
2070.1910	Codeine
2070.1915	Dihydrocodeine
2070.1920	Dihydrocodeine
2070.1925	Dihydrocodeine
2070.1930	Ethylmorphine
2070.1935	Opium
2070.1940	Morphine
2070.1960	Anabolic Steroids
2070.1962	Androgen L.A.
2070.1964	Andro-Estro 90-4
2070.1966	deANDROGYN
2070.1968	DEPO-T.F.E.
2070.1970	depTESTROGEN
2070.1972	Duromone
2070.1974	DURATESTRIN
2070.1976	DUO-SPAN II
2070.1978	Estratest
2070.1980	Estratest H.S.
2070.1982	PAN-ESTRA TEST
2070.1984	premarin with Methyltestosterone
2070.1986	TEST-BESTRO Cipionates
2070.1988	Testosterone Cyp 50 Estradiol Cyp 2
2070.1990	Testosterone Cypionate-Estradiol Cypionate Injection
2070.1992	Testosterone Enanthate-Estradiol Valerate Injection
2070.2000	Excepted Compounds

SUBPART E: SCHEDULE OF CONTROLLED SUBSTANCES--
SCHEDULE IV

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENT

Section	Schedule IV--Criteria	2070.2100	<u>Pinazepam</u>	2070.2312
	Schedule IV--Enumeration	2070.2105	<u>Prazepam</u>	2070.2315
	Narcotic Drugs	2070.2110	<u>Quazeepam</u>	2070.2317
	Difenoxin and Atropine Sulfate	2070.2115	<u>Temazepam</u>	2070.2320
	Dextropropoxyphene	2070.2120	<u>Tetrazepam</u>	2070.2322
	Depressants	2070.2200	<u>Triazolam</u>	2070.2325
	Alprazolam	2070.2210	<u>Zolpidam</u>	2070.2350
	Barbital	2070.2215	Fenfuramine	2070.2400
	<u>Bromazepam</u>	2070.2217	Stimulants	2070.2500
	Chloral Betaine	2070.2220	Cathine	2070.2503
	Chloral Hydrate	2070.2225	<u>Diethylpropion</u>	2070.2515
	Chlordiazepoxide	2070.2230	<u>Fencamfamin</u>	2070.2520
	<u>Clobazam</u>	2070.2232	<u>Fenproporex</u>	2070.2540
	Clonazepam	2070.2235	Mazindol	2070.2541
	Clorazepate	2070.2240	<u>Mefenorex</u>	2070.2545
	<u>Cloiazepam</u>	2070.2241	Stimulants	2070.2550
	<u>Clozazolam</u>	2070.2242	Ephedrine	2070.2565
	<u>Delorazepam</u>	2070.2244	Phentermine	2070.2565
	Diazepam	2070.2245	Pemoline	2070.2570
	<u>Estazolam</u>	2070.2248	Pipradrol	2070.2575
	Ethchlorvynol	2070.2250	SPA	2070.2580
	Ethinamate	2070.2255	Excepted Compounds	2070.2600
	<u>Ethyl Loflazepate</u>	2070.2256		
	Fludiazepam	2070.2258		
	<u>Flunitrazepam</u>	2070.2259		
	Flurazepam	2070.2260		
	<u>Halazepam</u>	2070.2265	Schedule V--Criteria	2070.2700
	<u>Haloxazolam</u>	2070.2266	Schedule V--Enumeration	2070.2705
	Ketazolam	2070.2268	Narcotic Drugs	2070.2710
	<u>Loprazolam</u>	2070.2269	<u>Buprenorphine</u>	2070.2712
	Lorazepam	2070.2270	Codine	2070.2715
	<u>Lormetazepam</u>	2070.2272	Dihydrocodeine	2070.2720
	Mebutamate	2070.2275	Ethymorphine	2070.2725
	<u>Medazepam</u>	2070.2277	Diphenoxylate	2070.2730
	Mepronamate	2070.2280	Opium	2070.2735
	<u>Methohexitol</u>	2070.2285	Difenoxin	2070.2740
	Mephobarbital	2070.2290	<u>Pyrovalerone</u>	2070.2750
	<u>Midazolam</u>	2070.2291	Other Substances	2070.2800
	Nimetazepam	2070.2292		
	<u>Nitrazepam</u>	2070.2294	AUTHORITY: Implementing and authorized by Section 100 of the Illinois Controlled Substances Act (720 ILCS 570/100).	
	<u>Nordiazepam</u>	2070.2295	SOURCE: Filed and effective November 19, 1975; rules repealed, new rules adopted at 2 Ill. Reg. 16, p. 151, effective April 24, 1978; amended at 2 Ill. Reg. 33, p. 63, effective August 15, 1978; amended at 2 Ill. Reg. 44, p. 127, effective October 30, 1978; amended at 2 Ill. Reg. 45, p. 19, effective November 10, 1978; amended at 2 Ill. Reg. 52, p. 283, effective January 5, 1979.	
	Oxazepam	2070.2297		
	<u>Oxazolam</u>	2070.2300		
	Paraldehyde	2070.2305		
	Petrichloral	2070.2310		
	Phenobarbital			

SUBPART F: SCHEDULE OF CONTROLLED SUBSTANCES--
SCHEDULE V

Section		
		Schedule V--Criteria
		Schedule V--Enumeration
		Narcotic Drugs
		<u>Buprenorphine</u>
		Codine
		Dihydrocodeine
		Ethymorphine
		Diphenoxylate
		Opium
		Difenoxin
		<u>Pyrovalerone</u>
		Other Substances

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENT

1979; amended at 3 Ill. Reg. 8, p. 112, effective February 23, 1979; amended at 3 Ill. Reg. 12, p. 246, effective March 23, 1979; amended at 4 Ill. Reg. 33, p. 193, effective August 4, 1980; amended at 5 Ill. Reg. 2987, effective March 5, 1981; amended at 5 Ill. Reg. 5156, effective April 29, 1981; amended at 5 Ill. Reg. 13145, effective November 25, 1981; amended at 6 Ill. Reg. 5176, effective April 16, 1982; amended at 6 Ill. Reg. 7200, effective June 7, 1982; amended at 7 Ill. Reg. 16142, effective December 2, 1983; amended at 7 Ill. Reg. 16639, effective December 9, 1983; transferred to the Department of Alcoholism and Substance Abuse by the Alcoholism and Substance Abuse Act (SUPP. to Ill. Reg. Stat. 1983, ch. 111 1/2, Pats. 634 et seq.) effective July 1, 1984; amended at 8 Ill. Reg. 13138, effective July 27, 1984; amended at 8 Ill. Reg. 16760, effective September 14, 1984; codified at 8 Ill. Reg. 19319; amended at 8 Ill. Reg. 2112, effective October 19, 1984; amended at 9 Ill. Reg. 1837, effective January 29, 1985; amended at 9 Ill. Reg. 10649, effective July 2, 1985; amended at 10 Ill. Reg. 914, effective January 7, 1986; amended at 10 Ill. Reg. 11222, effective June 16, 1986; emergency amendment at 10 Ill. Reg. 15662, effective September 10, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 18159, effective October 8, 1986; amended at 11 Ill. Reg. 4048, effective February 24, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 5192, effective March 17, 1987; amended at 11 Ill. Reg. 11944, effective July 2, 1987; amended at 19 Ill. Reg. _____, effective _____.

SUBPART B: SCHEDULE OF CONTROLLED SUBSTANCES--SCHEDULE I

Section 2070.122 Acetyl-alpha-methylfentanyl

Acetyl-alpha-methylfentanyl (N-(1-(1-methyl-2-phenethyl)-4-piperidinyl)-N-phenylacetamide
Source: Added at 19 Ill. Reg. _____, effective _____)

Section 2070.124 Alfentanil (Renumbered)

(Source: Former Section 2070.124 renumbered to Section 2070.1186 at 19 Ill. Reg. _____, effective _____)

Section 2070.130 Alphacetylmethadol

Alphacetylmethadol, except levo-alpha-acetylmehtadol (also known as: levo-alpha-acetylmehtadol, levomehtadol acetate, or LAAM)
(Source: Amended at 19 Ill. Reg. _____, effective _____)

Section 2070.145 Alpha-methylfentanyl

3-Methylthiofentanyl (N-(3-methyl-1-(2-thienyl)ethyl-4-piperidinyl)-N-Phenyl-propanamide
Section 2070.273 3-Methylthiofentanyl
3-Methylthiofentanyl (N-(3-methyl-1-(2-thienyl)ethyl-4-piperidinyl)-N-Phenyl-propanamide)

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENT

Alpha-methylfentanyl (N-(1-alpha-methyl-beta-phenyl)ethyl-4-piperidyl)-proponianilide; 1-(1-methyl-2-phenylethyl)-4-(N-propanilido)-piperidine) +methyl
(Source: Amended at 19 Ill. Reg. _____, effective _____)

Section 2070.146 Alpha-methylthiofentanyl
Alpha-methylthiofentanyl (N-(1-menthyl-2-(2-thienyl)ethyl-4-piperidinyl)-N-phenylpropanamide)
(Source: Added at 19 Ill. Reg. _____, effective _____)

Section 2070.148 PEPAP 1-(2-phenylethyl)-4-acetoxyfentanyl
PEPAP 1-(2-phenethyl)-4-phenoxyfentanyl +tPBAPP+PAP
(Source: Amended at 19 Ill. Reg. 119, effective _____)

Section 2070.157 Beta-hydroxyfentanyl
Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-piperidinyl]-N-phenylpropanamide)
(Source: Added at 19 Ill. Reg. _____, effective _____)

Section 2070.247 3-Methylfentanyl (Renumbered)
3-Methylfentanyl (N-(3-methyl-1-(2-phenylethyl)-4-piperidyl)-N-phenylpropanamide)
(Source: Section 2070.247 renumbered to Section 2070.272 at 19 Ill. Reg. _____, effective _____)

Section 2070.272 2070-247-3-Methylfentanyl
3-Methylfentanyl (N-(3-methyl-1-(2-phenylethyl)-4-piperidyl)-N-phenylpropanamide)
(Source: Section 2070.272 renumbered from Section 2070.247 and amended at 19 Ill. Reg. _____, effective _____)

Section 2070.273 3-Methylthiofentanyl
3-Methylthiofentanyl (N-(3-methyl-1-(2-thienyl)ethyl-4-piperidinyl)-N-Phenyl-propanamide)

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENT

(Source: Added at 19 Ill. Reg. _____, effective _____)

Section 2070.297 Para-fluorofentanyl

Para-fluorofentanyl (N-(4-fluorophenyl)-N-(1-(2-phenethyl)-4-piperidinyl)propanamide)

(Source: Added at 19 Ill. Reg. _____, effective _____)

Section 2070.388 Thiofentanyl

Thiofentanyl (N-Phenyl-N-[1-(2-thienyl)ethyl]-4-piperidinyl-propanamide)

(Source: Added at 19 Ill. Reg. _____, effective _____)

Section 2070.397 Beta-hydroxy-3-methylfentanyl

Beta-hydroxy-3-methylfentanyl (other name: N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropanamide)

(Source: Added at 19 Ill. Reg. _____, effective _____)

Section 2070.606 Alpha-ethyltryptamine

Alpha-ethyltryptamine (some trade or other names: etryptamine; MOASE, alpha-ethyl-indole-3-ethanamine; 3-(2-aminobutyl)indole; a-ET, and AET)

(Source: Added at 19 Ill. Reg. _____, effective _____)

Section 2070.608 3,4-methylenedioxyl-N-ethylamphetamine

3,4-methylenedioxyl-N-ethylamphetamine (also known as: N-ethyl-alpha-methyl-3,4(methylenedioxy) Phenethylamine, N-ethyl, MDA, MDE, and MDEA)

(Source: Added at 19 Ill. Reg. _____, effective _____)

Section 2070.640 Ibogaine

Ibogaine (some trade and other names: 7-ethyl-6,6,beta,7,8,9,10,11,12-octahydro-2-methoxy-6,9-methano-5H-pyrido[1',2':1,2]azepino[5,4-b]indole; Tabernanthine iboga)

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENT

(Source: Amended at 19 Ill. Reg. _____, effective _____)

Section 2070.655 Peoyte

Peoyte (meaning all parts of the plant presently classified botanically as Lophophora williamsii Lemire, whether growing or not, the seeds thereof, any extract from any part of that plant, and every compound, derivative, mixture, or preparation of that plant, its seeds or extracts)

(Source: Amended at 19 Ill. Reg. _____, effective _____)

Section 2070.667 N-hydroxy-3,4-methylenedioxylamphetamine

N-hydroxy-3,4-methylenedioxylamphetamine (also known as N-hydroxy-alpha-methyl-3,4(methylenedioxy)phenethylamine and N-hydroxy MDA)

(Source: Added at 19 Ill. Reg. _____, effective _____)

Section 2070.690 2,5-dimethoxyamphetamine BMA

2,5-dimethoxyamphetamine (2,5-dimethoxy-alpha-methylphenethylamine; 2,5-DMA)

(Source: Amended at 19 Ill. Reg. _____, effective _____)

Section 2070.695 4-bromo-2,5-dimethoxyamphetamine BMA

4-bromo-2,5-dimethoxyamphetamine (4-bromo-2,5-dimethoxy-alpha-methylphenethylamine; 4-bromo-2,5-dimethoxy-alpha-methylphenethylamine; 2,5-DMA)

(Source: Amended at 19 Ill. Reg. _____, effective _____)

Section 2070.700 4-methoxyamphetamine (4-methoxy-alpha-methylphenethylamine; PMA)

4-methoxyamphetamine (4-methoxy-alpha-methylphenethylamine; paramethoxyamphetamine, PMA)

(Source: Amended at 19 Ill. Reg. _____, effective _____)

Section 2070.720 5-methoxy-3,4-methylenedioxylamphetamine

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENT

5-methoxy-3,4-methylenedioxy-amphetamine

(Source: Added at 19 Ill. Reg. _____, effective)

Section 2070.725 2,5-dimethoxy-4-ethylamphetamine2,5-dimethoxy-4-ethylamphetamine (another name: DOPT)

(Source: Added at 19 Ill. Reg. _____, effective)

Section 2070.730 1-11-(2-thienyl)cyclohexyl pyrrolidine1-[1-(2-thienyl)cyclohexyl] pyrrolidine (another name: TCPy)

(Source: Added at 19 Ill. Reg. _____, effective)

Section 2070.735 3,4-methylenedioxy-amphetamine3,4-methylenedioxy amphetamine

(Source: Added at 19 Ill. Reg. _____, effective)

Section 2070.740 Thiophene analog of phencyclidineThiophene analog of phencyclidine (some trade or other names: 1-[(1-(2-thienyl)-cyclohexyl)-piperidine; 2-thienyl analog of phencyclidine; TPCP; TCP)

(Source: Added at 19 Ill. Reg. _____, effective)

Section 2070.745 BufotenineBufofenine (some trade or other names: 3-(Beta-Dimethylaminoethyl)-5-hydroxy-N,N-dimethyltryptamine; N,N-dimethylserotonin; mapple

(Source: Added at 19 Ill. Reg. _____, effective)

Section 2070.815 AminorexAminorex (some other names: 2-amino-5-phenyl-2-oxazoline; aminoxyphen; 4-5-dihydro-5-phenyl-2-oxazoline) and its salts, optical isomers, and salts of optical isomers

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENT

(Source: Added at 19 Ill. Reg. _____, effective)

Section 2070.820 MethcathinoneMethcathinone (some other names: 2-methylamino-1-phenylpropan-1-one; Ephedrone; 2-(methylamino)propophenone; alpha-(methylamino)propophenone; N-methylcathinone; methcathinone. Monomethylpropiol; UR 1431) and its salts, optical isomers, and salts of optical isomers.

(Source: Added at 19 Ill. Reg. _____, effective)

Section 2070.825 ChathinoneChathinone (some trade or other names: 2-aminopropiophenone; alpha-aminopropiophenone; 2-amino-1-phenyl-propane; noephedrone)

(Source: Added at 19 Ill. Reg. _____, effective)

Section 2070.830 N,N-dimethyllamphetamineN,N-dimethylamphetamine (also known as: N,N-alpha-trimethylbenzenethanamine; N,N-alpha-trimethylphenethylamine)

(Source: Added at 19 Ill. Reg. _____, effective)

Section 2070.835 (+ or -) cis-4-methylaminorex (+ or -) cis-4-methylaminorex (+ or -) cis-4-methylephedrine (+ or -) cis-4-methylephedro-4-methyle-2-oxazoline

(Source: Added at 19 Ill. Reg. _____, effective)

Section 2070.920 Opium and OpiatesOpium and opiates, and any salt, compound, derivative or preparation of opium or opiate, excluding apomorphine, dextrorphan, levopropoxphene, nalbuphine, naloxone, and naltrexone, and their respective salts, but including those enumerated in Sections 2070.925 to 2070.998.

(Source: Amended at 19 Ill. Reg. _____, effective)

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENT

(Source: Added at 19 Ill. Reg. _____, effective _____)

Section 2070.1964 Andro-Estro 90-4Andro-Estro 90-4

(Source: Added at 19 Ill. Reg. _____, effective _____)

Section 2070.1966 deANDROGYNdeANDROGYN

(Source: Added at 19 Ill. Reg. _____, effective _____)

Section 2070.1968 DEPO-T.E.

(Source: Added at 19 Ill. Reg. _____, effective _____)

Section 2070.1970 deTESTROGENdeTESTROGEN

(Source: Added at 19 Ill. Reg. _____, effective _____)

Section 2070.1972 DuomoneDuomone

(Source: Added at 19 Ill. Reg. _____, effective _____)

Section 2070.1974 DURATESTRINDURATESTRIN

(Source: Added at 19 Ill. Reg. _____, effective _____)

Section 2070.1976 DUO-SPAN IIDUO-SPAN II

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENT

(Source: Added at 19 Ill. Reg. _____, effective _____)

Section 2070.1978 EstratestEstratest

(Source: Added at 19 Ill. Reg. _____, effective _____)

Section 2070.1980 Estratest H.S.Estratest H.S.

(Source: Added at 19 Ill. Reg. _____, effective _____)

Section 2070.1982 PAN ESTRA TESTPAN ESTRA TEST

(Source: Added at 19 Ill. Reg. _____, effective _____)

Section 2070.1984 Premarin with MethyltestosteronePremarin with Methyltestosterone

(Source: Added at 19 Ill. Reg. _____, effective _____)

Section 2070.1986 TEST-ESTRO CypionatesTEST-ESTRO Cypionates

(Source: Added at 19 Ill. Reg. _____, effective _____)

Section 2070.1988 Testosterone Cyp 50 Estradiol Cyp 2Testosterone Cyp 50 Estradiol Cyp 2

(Source: Added at 19 Ill. Reg. _____, effective _____)

Section 2070.1990 Testosterone Cypionate-Estradiol Cypionate InjectionTestosterone Cypionate-Estradiol Cypionate injection

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE**NOTICE OF PROPOSED AMENDMENT**

(Source: Added at 19 Ill. Reg. _____, effective _____)

Section 2070.1992 Testosterone Enanthate-Estradiol Valerate Injection

(Source: Added at 19 Ill. Reg. _____, effective _____)

SUBPART E: SCHEDULE OF CONTROLLED SUBSTANCES--SCHEDULE IV**Section 2070.2217 Bromazepam**

(Source: Added at 19 Ill. Reg. _____, effective _____)

Section 2070.2218 Camazepam

(Source: Added at 19 Ill. Reg. _____, effective _____)

Section 2070.2232 Clobazam

(Source: Added at 19 Ill. Reg. _____, effective _____)

Section 2070.2241 Clotiazepam

(Source: Added at 19 Ill. Reg. _____, effective _____)

Section 2070.2242 Cloxazolam

(Source: Added at 19 Ill. Reg. _____, effective _____)

Section 2070.2244 Delorazepam

(Source: Added at 19 Ill. Reg. _____, effective _____)

Section 2070.2248 Estazolam
(Source: Added at 19 Ill. Reg. _____, effective _____)**Section 2070.2256 Ethyl Loflazepate**
(Source: Added at 19 Ill. Reg. _____, effective _____)**Section 2070.2258 Fludiazepam**
(Source: Added at 19 Ill. Reg. _____, effective _____)**Section 2070.2259 Flunitrazepam**
(Source: Added at 19 Ill. Reg. _____, effective _____)**Section 2070.2269 Loprazolam****DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE
NOTICE OF PROPOSED AMENDMENT**
(Source: Added at 19 Ill. Reg. _____, effective _____)**NOTICE OF PROPOSED AMENDMENT**
(Source: Added at 19 Ill. Reg. _____, effective _____)**Delorazepam**
(Source: Added at 19 Ill. Reg. _____, effective _____)**Section 2070.2248 Estazolam**
(Source: Added at 19 Ill. Reg. _____, effective _____)**Estazolam**
(Source: Added at 19 Ill. Reg. _____, effective _____)**Section 2070.2248 Estazolam**
(Source: Added at 19 Ill. Reg. _____, effective _____)**Section 2070.2256 Ethyl Loflazepate**
(Source: Added at 19 Ill. Reg. _____, effective _____)**Ethyl Loflazepate**
(Source: Added at 19 Ill. Reg. _____, effective _____)**Section 2070.2258 Fludiazepam**
(Source: Added at 19 Ill. Reg. _____, effective _____)**Fludiazepam**
(Source: Added at 19 Ill. Reg. _____, effective _____)**Section 2070.2259 Flunitrazepam**
(Source: Added at 19 Ill. Reg. _____, effective _____)**Flunitrazepam**
(Source: Added at 19 Ill. Reg. _____, effective _____)**Section 2070.2266 Haloxazolam**
(Source: Added at 19 Ill. Reg. _____, effective _____)**Haloxazolam**
(Source: Added at 19 Ill. Reg. _____, effective _____)**Section 2070.2268 Ketazolam**
(Source: Added at 19 Ill. Reg. _____, effective _____)**Ketazolam**
(Source: Added at 19 Ill. Reg. _____, effective _____)**Section 2070.2269 Loprazolam**
(Source: Added at 19 Ill. Reg. _____, effective _____)

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENT

Penproporex

(Source: Added at 19 Ill. Reg. _____) effective

Section 2070.2545 Mefenorex

(Source: Added at 19 Ill. Reg. _____) effective

Section 2070.2650 Stimulants

Any material, compound, mixture, or preparation that contains any quantity of the following substance listed in Section 2070.2655 having a stimulant effect on the central nervous system, including its salts, enantiomers (optical isomers) and salts of enantiomers (optical isomers).

(Source: Added at 19 Ill. Reg. _____) effective

Section 2070.2655 Ephedrine

Ephedrine as the only active medicinal ingredient or in combination with therapeutically insignificant quantities of another active medicinal ingredient.

(Source: Added at 19 Ill. Reg. _____) effective

SUBPART F: SCHEDULE OF CONTROLLED SUBSTANCES--SCHEDULE VSection 2070.2750 Pyrovalerone

(Source: Added at 19 Ill. Reg. _____) effective

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Triplicate Prescription Control Program2) Code Citation: 77 Ill. Adm. Code 20803) Section Numbers:Proposed Action:

2080.20	Amended
2080.110	Amended
2080.120	Amended
2080.150	New
2080.160	Renumbered
2080.170	Renumbered
2080.180	Renumbered

4) Statutory Authority: Section 302(d) and 308 of the Illinois Controlled Substances Act [720 ILCS 570/302(d) and 308].

5) A Complete Description of the Subjects and Issues Involved: The rule will be amended to be consistent with federal law and new State law P.A. 89-202 regarding the partial filling of Schedule II "designated products". It will also implement new State law regarding facsimile transmission of prescriptions to pharmacies and will exempt certain long term care and home infusion services from the triplicate prescription requirements.

6) Will this rulemaking replace any emergency rulemaking currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this rulemaking contain incorporations by reference? No

9) Are there any other proposed rulemakings pending on this part? No

10) Statement of Statewide Policy Objectives: A Statement of Statewide Policy Objectives is not necessary.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons should address their written comments concerning these rules within 45 days to:

Ronald J. Vlasaty
Deputy Director of the Bureau of Administration
Department of Alcoholism and Substance Abuse
James R. Thompson Center
100 W. Randolph, Suite 5-600
Chicago, IL 60601
(312) 814-3840

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENTS

or

Philip Wyatt
 Legislative Liaison
 Department of Alcoholism and Substance Abuse
 222 S. College, Second Floor
 Springfield, IL 62704
 217/782-0886

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: Medical providers who prescribe, distribute, dispense, or administer Schedule II "designated product" controlled substances in the course of professional practice.

B) Reporting, bookkeeping or other procedures required for compliance:
 No new reporting is required.

C) Types of professional skills necessary for compliance: No new or additional professional skills are necessary.

13) Regulatory Agenda on which this rulemaking was summarized: July 1995
The full text of the Proposed Amendment begins on the next page:

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENTS

TITLE 77: PUBLIC HEALTH
 CHAPTER X: DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE
 SUBCHAPTER e: CONTROLLED SUBSTANCES ACTIVITIES

PART 2080
 TRIPPLICATE PRESCRIPTION CONTROL PROGRAM

Section	Authority	Definitions	General Description	Official Triplicate Prescription Blanks	Authorized Prescribers	Application	Official Triplicate Prescription Requirements	Prohibited use of the Official Triplicate Prescription Blank	Administering and dispensing of a Schedule II designated product by a prescriber	Pharmacist responsibility	Partial filling of prescriptions	Emergency situations	Prescribers from out-of-state	Prescribers and exempt Federal practitioners	
2080.10	2080.10	2080.20	2080.30	2080.40	2080.50	2080.60	2080.70	2080.80	2080.90	2080.100	2080.110	2080.120	2080.130	2080.140	
															Exemptions for prescribers in hospitals and institutions
															<u>Exemptions-for-narcotic-treatment-programs</u>
															<u>Exemptions for long term care and home infusion services</u>
															2080.16020000150 Exemptions for research
															2080.17020000160 Exemptions for regulatory referrals
															2080.18020000170 Investigations for research

AUTHORITY: Implementing and authorized by Sections 302(d) and 308 of Article III of the Illinois Controlled Substances Act [720 ILCS 570/302(d) and 308].

SOURCE: Adopted at 10 Ill. Reg. 4497, effective March 3, 1986; amended at 17 Ill. Reg. 11424, effective July 6, 1993; amended at 19 Ill. Reg. _____, effective _____.

Section 2080.20 Definitions

No incorporation by reference in this Part includes any later amendments or editions. The definitions which apply to this Part are those found in the Act;

"Act" means the Illinois Controlled Substances Act (720 ILCS 570/100 et seq.).

"Department" means the Illinois Department of Alcoholism and Substance Abuse, or its successor agency.

NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

"Drug dependence" means a state, psychic and sometimes also physical, resulting from interaction between a living organism and a drug, characterized by behavioral and other responses that always include a compulsion to take the drug on a continuous or periodic basis in order to experience its psychic effects and sometimes to avoid the discomfort of its absence. Tolerance may or may not be present. A person may be dependent on more than one drug.

"Exempt Federal Practitioners" means those practitioners specifically exempted pursuant to 21 CFR 1301 (1992).

"Exempt Prescribers in hospitals and institutions" means prescribers in hospitals or institutions licensed under the Hospital Licensing Act ~~tit-Rev-State-1991-tit-127-par-42-e-seg-7~~ [210 ILCS 85/1~~t~~ tit-Rev-State-1991-tit-127-par-42-e-seg-7] who authorize the administration or dispensing of Schedule II designated products within the hospital or institution.

"Facsimile Equipment" means any device which is capable of sending or receiving facsimile of documents through connection with a telecommunications network.

"Illinois Controlled Substances License Number" means the State Authorization number issued by the Department of Professional Regulation permitting prescribers to possess, prescribe or dispense controlled substances in Illinois pursuant to the Controlled Substances Act (see 77 Ill. Adm. Code 1650.70).

"Long Term Care Facility" means a facility licensed by the Department of Public Health as a skilled nursing facility, intermediate care facility, or long term care facility for residents under 22 years of age.

"National Drug Code Identification Number" means the number used to provide uniform product identification for all commercially distributed drugs in the United States.

"Official Triplicate Prescription Blank" means the official prescription blanks for the triplicate prescription program supplied to prescribers by the Department for prescribing Schedule II designated product controlled substances.

"Out-of-state prescribers" means those prescribers having a valid Drug Enforcement Administration Registration to prescribe Schedule II controlled substances pursuant to 21 CFR 1301 (1992) and who are also licensed to prescribe Schedule II designated products in the states where they maintain a professional license to practice.

"Pharmacy Inventory Control Form" means the official form used by the

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENTS

Department for the purpose of obtaining uniform reports from Illinois pharmacies related to the dispensing of Schedule II controlled substance prescription drugs pursuant to the written order of an out-of-state or exempt Federal prescriber.

"Prescribed" means ordered as treatment by a prescriber either verbally or in writing.

"Schedule II designated product" means any narcotic drug, amphetamine, phenmetrazine, methamphetamine, glutethimide, or pentazocine Product listed in Schedule II and also means any controlled substance listed in Schedule II which is determined and designated by the Department to be such a product under Section 102(n) of the Act. ~~tit-Rev-State-1991-tit-127-par-42-e-seg-7~~

(Source: Amended at 19 Ill. Reg. _____, effective _____)

Section 2080.110 Partial filling of prescriptions

a) General
When the pharmacist can only partially fill a prescription, the pharmacist shall annotate the official Triplicate Prescription Blank or written record of emergency prescription with the total quantity of the Schedule II designated product dispensed. The remaining quantity of the prescription shall be filled within 72 hours of the first partial filling. Where the full quantity prescribed cannot be supplied within 72 hours, the pharmacist shall notify the prescriber that no further quantity may be supplied without a new official triplicate prescription blank.

b) In-patient care facility
1) A prescription for a Schedule II designated product products written for patients in nursing homes, hospices, or similar facilities or Long Term Care Facilities (LTCF) licensed by the Department of Public Health or for a patient with a medical diagnosis documenting a terminal illness may be dispensed in partial quantities to include individual dosage units. If there is any question whether a patient may be classified as having a terminal illness, the pharmacist must contact the practitioner prior to partially filling the prescription. Both the pharmacist and the practitioner have a corresponding responsibility to assure that the controlled substance is for a terminally ill patient. The pharmacist must record on the prescription whether the patient is "terminally ill" or a "LTCF patient". A prescription that is partially filled and does not contain the notation "terminally ill" or a "LTCF patient" shall be deemed to have been filled in violation of the Act. For each partial filling, the dispensing pharmacist shall record on the

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENTS

back of the prescription (or on another appropriate record uniformly maintained and readily retrievable), the date of the partial filling, quantity dispensed, remaining quantity authorized to be dispensed, and the identification of the dispensing pharmacist. Prior to a subsequent partial filling the pharmacist is to determine that the additional partial filling is necessary. The total quantity of Schedule II designated product products dispensed in all partial fillings shall not exceed the total quantity prescribed. Schedule II designated product prescriptions for patients in a LTCF, nursing homes, hospices, or similar facilities licensed by the Department of Public Health or Patients with a medical diagnosis documenting a terminal illness shall be valid for a period of time not to exceed 60 days from the issue date unless sooner terminated by the discontinuance of medication.

2) Information pertaining to current Schedule II prescriptions for Patients in a LTCF or for patients with a medical diagnosis documenting a terminal illness may be maintained in a computerized system if this system has the capability to permit:

- Output (display or printout) of the original prescription number, date of issue, identification of prescribing individual practitioner, identification of patient, address of the LTCF or address of the hospital or residence of the patient, identification of medication authorized (to include dosage form, strength, and quantity), listing of the partial fillings that have been dispensed under each prescription and the information as set forth above.
- Immediate updating of the prescription record each time a partial filling of the prescription is conducted.

C) Retrieval of Partially Filled Schedule II Prescription information is the same as required by Section 1306.22(b)(4) and (5) of the Regulation regarding "Prescriptions", 21 CFR 1306 (1995) for Schedule III and IV prescription refill information.

3) Where a Schedule II designated product has been discontinued prior to the dispensing of the full amount of the prescription, the pharmacist shall indicate the actual amount of medication dispensed on the face of the Official Triplicate Prescription Blank.

4) Submission of Official Triplicate Prescription Blank

- When the in-patient care facility Pharmacy has dispensed the total amount of a Schedule II designated product prescribed, the Pharmacist shall submit the State copy of the Official Triplicate Prescription Blank to the Department's Springfield office by the 15th day of the month following the month in which the total amount was dispensed.
- When the pharmacist determines that the prescription can only be filled on a partial basis (e.g., patient death,

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENTS

prescriber discontinues medication order, etc.), the pharmacist shall annotate the prescription with the total quantity of the Schedule II designated product dispensed and submit the blank to the Department's Springfield Office by the 15th day of the following month.

(Source: Amended at 19 Ill. Reg. _____, effective _____)

Section 2080.120 Emergency situations

No person shall issue a prescription for a Schedule II designated product other than on the Official Triplicate Prescription Blank issued by the Department and no pharmacist shall fill any such prescription other than on the Official Triplicate Prescription Blank issued by the Department. However, in the case of an emergency, epidemic or a sudden or unforeseen accident or calamity, the prescriber may issue a lawful oral prescription or transmit via facsimile equipment a written prescription order or a written prescription on a blank other than the Official Triplicate Prescription Blank issued by the Department where failure to issue such a prescription might result in loss of life or intense suffering.

- Such prescription shall have endorsed thereon by the prescriber a statement concerning the accident, or calamity, or circumstances constituting the emergency, or the cause for which the unofficial blank was used.
- Within 72 hours after issuing an emergency prescription, the prescriber shall cause a written prescription on the official Triplicate Prescription Blank for the emergency quantity prescribed to be delivered to the dispensing pharmacist. The prescription shall have written on its face "Authorization for Emergency Dispensing", and the date of the emergency prescription. The written prescription on the Official Triplicate Prescription Blank may be delivered to the pharmacist in person or by mail, but if delivered by mail it must be postmarked within the 72-hour period.

c) Upon receipt, the dispensing pharmacist shall attach the Official Triplicate Prescription Blank to the emergency prescription earlier received, or in the case of an oral prescription, the document on which it was reduced to writing.

- The dispensing pharmacist shall notify the Department if the prescriber fails to deliver the authorization for emergency dispensing on the Official Triplicate Prescription Blank. Failure of the dispensing pharmacist to do so shall void the authority to dispense without a written prescription on an Official Triplicate Prescription Blank of a prescriber.

e) The Department shall immediately upon discovery notify DPR in writing of any violations of this Section by prescribers or pharmacists.

(Source: Amended at 19 Ill. Reg. _____, effective _____)

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENTS

Section 2080.150 Exemptions-for-narcotic-treatment-programs Exemptions for long term care and home infusion services

a) Controlled substances that can lawfully be administered or dispensed directly to a patient in a long term care facility licensed by the Department of Public Health as a skilled nursing facility, intermediate care facility, or a long term care facility for residents under 22 years of age are exempt from the requirements of Sections 308 and 312 of the Act, except that a prescription for a Schedule II controlled substance must be either a written prescription signed by the prescriber or a written prescription transmitted by the prescriber or prescriber's agent to the dispensing pharmacy by facsimile. The facsimile serves as the original written prescription and must be maintained for 2 years from the date of issue in the same manner as a written prescription signed by the prescriber.

b) A prescription is written for a Schedule II controlled substance to be compounded for direct administration by parenteral, intravenous, intramuscular, subcutaneous, or intraspinal infusion to a patient in a private residence, long term care facility, or hospice setting may be transmitted by facsimile by the prescriber or the prescriber's agent to the pharmacy providing the home infusion services.

(Source: Former Section 2080.150 renumbered to Section 2080.160; new Section 2080.150 added at 19 Ill. Reg. _____, effective _____)

Section 2080.160 2000-150 Exemptions for narcotic treatment programs

Use of the Official Triuplicate Prescription Blank is not required in narcotic treatment programs. The official "prescription logs" issued by the Department shall be completed in accordance with Section 313 of the Act.

(Source: Former Section 2080.160 renumbered to Section 280.170; Section 2080.160 renumbered from Section 2080.150 at 19 Ill. Reg. _____, effective _____)

Section 2080.170 2000-160 Exemptions for research

Prescribers who are authorized by the Department pursuant to the Act to use Schedule II designated products to carry out research are exempt from the requirements of Section 508 of the Act. Such prescribers shall maintain an inventory record specifying:

- Drug name.
- Drug strength.
- Drug quantity.
- Purpose for which administered.

- e) To whom administered (if applicable).
- f) Date(s) on which Schedule II designated product was used.

NOTICE OF PROPOSED AMENDMENTS

Section 2080.170 renumbered to Section 2080.180; Section 2080.170 renumbered from Section 2080.160 at 19 Ill. Reg. _____, effective _____)

Section 2080.180 2000-170 Investigatory and regulatory referrals

The Department's Triuplicate Prescription Control Section shall make investigatory or regulatory referrals to Federal, State and local law enforcement and regulatory agencies based on information collected from the processing of the Official Triuplicate Prescription Blanks. All referrals shall be based on the nature of the information and the jurisdictional area for which the information is appropriate. Investigatory or regulatory referrals shall include but shall not be limited to the following criteria:

- A prescriber attempts to obtain Official Triuplicate Prescription Blanks with an expired, suspended, revoked or otherwise disciplined professional license. This applies to professional licenses issued in this or any other state.
- A prescriber attempts to obtain Official Triuplicate Prescription Blanks with an expired, suspended, revoked or revoked controlled substances registration. This applies to registrations issued by this State, any other state, or the DEA.
- A prescriber with an expired, suspended, revoked or otherwise disciplined professional license prescribes or dispenses a Schedule II designated product using the Official Triuplicate Prescription Blank. This applies to professional licenses issued in this or any other state.
- A prescriber with an expired, suspended, or revoked controlled substances registration prescribes or dispenses a Schedule II designated product using the Official Triuplicate Prescription Blank. This applies to registrations issued by this or any other state or the U.S. Drug Enforcement Administration.
- An out-of-state prescriber with an expired, suspended, revoked or otherwise disciplined professional license prescribes a Schedule II product.
- An out-of-state prescriber with an expired, suspended or revoked controlled substances registration prescribes for a Schedule II product. This applies to a registration issued in the prescriber's resident state or a registration issued by DEA.
- A pharmacy with an expired, suspended or revoked Illinois Controlled Substances License, or DEA registration dispenses a Schedule II designated product.
- A pharmacist with an expired, suspended, revoked or otherwise disciplined professional license dispenses a Schedule II designated product. This applies to a professional license issued in this or any other State.

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENTS

- i) A pharmacy dispenses a Schedule II designated product to a patient beyond the 72 hour limit three or more times in any 12 month period.
- j) A pharmacy is late returning Official Triplicate Prescription Blanks or Pharmacy Inventory Control forms to the Department three or more times during any 12-month period.
- k) A prescriber uses an Official Triplicate Prescription Blank instead of a Drug Enforcement Administration 222 Narcotic Order Form to obtain office medication stock.
- l) A prescriber or a pharmacist dispenses a Schedule II controlled substance to a patient.
- m) A prescriber knowingly fails to report lost or stolen Official Triplicate Prescription Blanks.
- n) A prescriber maintains a drug dependent person without proper authorization pursuant to Section 312(h) of the Act.
- o) A pharmacist refills any Schedule II prescription.
- p) It is determined that on three or more occasions in any 12 month period a prescriber has prescribed using Official Triplicate Prescription Blanks issued to others.
- q) A prescriber fails to provide an Official Triplicate Prescription Blank to a pharmacy within 72 hours after issuing an emergency order for a Schedule II designated product.
- r) A prescriber issues prescriptions on expired Official Triplicate Prescription Blanks three or more times during any 12-month period.
- s) A pharmacist fills prescriptions for Schedule II designated products that have been issued on expired Official Triplicate Blanks three or more times in any 12-month period.
- t) A pharmacist fails to provide the Department with a Pharmacy Inventory Control Form for a Schedule II product that was dispensed pursuant to an order of an out-of-state prescriber or exempt Federal practitioner.
- u) A prescriber makes payment for Official Triplicate Prescription Blanks with a check or money order that is uncollectable.
- v) A pharmacist makes payment for Pharmacy Inventory Control forms with a check or money order that is uncollectable.
- w) A prescriber reports more than one theft per year of Official Triplicate Prescription blanks.
- x) The Triplicate Prescription Control Section detects an irregularity or violation in processing an Official Triplicate Blank, (e.g., stolen, forged, or altered prescription).
- y) The Triplicate Prescription Control Section determines that a Schedule II designated product prescription does not exhibit the principle of "good faith" in prescribing or dispensing as set forth in Section 102(n) of the Act.

(Source: Section 2080.180 renumbered from Section 2080.170 at 19 Ill. Reg. _____, effective _____)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

Section Numbers:	Proposed Action
310.30	Amended
310.40	Amended
310.210	Amended
310.280	Amended
310.320	Amended
310.Appendix A, Table AA	New
310.Appendix A, Table J	Amended
310.Appendix A, Table O	Amended
310.Appendix A, Table P	Amended
Statutory Authority: Authorized by Section 8 and 8a of the Personnel Code [20 ILCS 415/8 and 8a].	
5) <u>A Complete Description of the Subjects and Issues Involved:</u>	In Sections 310.30, 310.40, 310.210 and 310.320, the reference to the Illinois Revised Statutes is being deleted since this is obsolete. Also in Sections 310.40 and 310.320, the ILCS citation is being revised to "20 ILCS 415/8 and 8a".
In Section 310.280, Designated Rate, our review of the personnel record system indicates that certain positions are no longer being utilized in the Designated Rate Section due to the positions being vacant or due to title changes, such as, the establishment of the Public Service Administrator and the Senior Public Service Administrator in the Pay Plan. These obsolete positions are being deleted from the Designated Rate Section.	
Also in Section 310.280, the following updates reflect changes already approved by the Governor:	
In the Department of Children and Family Services, a Private Secretary II position is being added with the annual salary of \$43,452. In the Department of Commerce and Community Affairs, the Economic Development Representative Specialist title was replaced by the Public Service Administrator with the annual salary of \$63,432. The Public Information Officer IV's annual salary is being amended to reflect a rate of \$50,508.	

Effective July 1, 1995, the agency name for the Department of Conservation was changed to the Department of Natural Resources. A Public Service Administrator position is being included with the annual salary of \$72,000, effective July 1, 1995.

In the Department of Insurance, the Insurance Program Executive title was

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

replaced by the Senior Public Service Administrator with the annual salary of \$90,648.

In the Department of Mental Health and Developmental Disabilities, a Medical Administrator I, Option D position is being included with the annual salary of \$131,250.

In the Department of State Police, the designated rate for the only non-sworn Deputy Director, a Senior Public Service Administrator is being included with the annual salary of \$85,629.62.

In Section 310.Table J, RC-014 (Clerical Employees, AFSCME), the titles of Telecommunicator Call Taker and Telecommunicator Lead Call Taker are being added with the monthly salaries of \$1,967.00 - 2,609.00 and \$2,153.00 - 2,884.00, respectively.

Also, the Safety Responsibility Analyst I and II titles are being reclassified to the Safety Responsibility Analyst with the monthly salary of \$1,885.00 - 2,555.00, effective July 1, 1995.

In Section 310.Table O, RC-028 (Paraprofessional Human Services Employees, AFSCME), the Apparel Dry Goods Specialist III title received a one-grade increase on January 1, 1995. This increase is already reflected for July 1, 1995, but a change is being made for the July 1, 1996 salary for this class to reflect the grade change.

Also in Table O, the Crime Scene Technician title is being reclassified to Crime Scene Investigator, effective July 19, 1995, with the salary remaining the same.

In Section 310.Table P, RC-029 (Paraprofessional Investigator and Law Enforcement Employees, IFPE), the retroactive salary for the Police Officer III title was negotiated for July 1, 1994 with the monthly range of \$2,870.00 - 3,809.00.

6) Will this proposed rule replace an emergency rule currently in effect? No.

7) Does this rulemaking contain an automatic repeal date? No

8) Do these proposed amendments contain any incorporations by reference? No.

9) Are there any proposed amendments pending to this Part? Yes

Section Numbers

Proposed Action

310.230	Amended	19 Ill. Reg. 11707 (August 18, 1995)
310.530	Amended	19 Ill. Reg. 11707 (August 18, 1995)
310.540	Amended	19 Ill. Reg. 11707 (August 18, 1995)
310.Appendix C	Amended	19 Ill. Reg. 11707 (August 18, 1995)
310.Appendix D	Amended	19 Ill. Reg. 11707 (August 18, 1995)
310.Appendix G	Amended	19 Ill. Reg. 11707 (August 18, 1995)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

310.290	Amended	19 Ill. Reg. 11707 (August 18, 1995)
310.530	Amended	19 Ill. Reg. 11707 (August 18, 1995)
310.540	Amended	19 Ill. Reg. 11707 (August 18, 1995)
310.Appendix C	Amended	19 Ill. Reg. 11707 (August 18, 1995)
310.Appendix D	Amended	19 Ill. Reg. 11707 (August 18, 1995)
310.Appendix G	Amended	19 Ill. Reg. 11707 (August 18, 1995)

Statement of Statewide Objectives:

These amendments to the Pay Plan pertain only to State employees subject to the Personnel Code and do not set out any guidelines that are to be followed by local or other jurisdictional bodies within the State.

10) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Mr. Michael Murphy
Department of Central Management Services
Division of Technical Services
504 William G. Stratton Building
Springfield, Illinois 62706

Telephone: (217) 782-5601

Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: None. The Department of Central Management Services' Pay Plan extends only to Personnel Code employees under the jurisdiction of the Governor.

B) Reporting, bookkeeping or other procedures required for compliance:
None

C) Types of professional skills necessary for compliance: None
The Telecommunicator Call Taker and Telecommunicator Lead Call Taker titles that are being added to Table J: January 1995

Other portions of these rules were not included on either of the 2 most recent agendas because:

13) Regulatory Agenda on which this rulemaking was summarized: July 1995

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

In Section 310.280, Designated Rate, the Public Service Administrator in the Department of Natural Resources: unknown at the time The Licensing Quality Assurance Analyst title that is being deferred in Table J was abolished before the requirement of publishing pending amendments to the Pay Plan.

The salary range change for the Apparel Dry Goods Specialist III in Table O that is being made to the July 1996 salary was an omission when the Department of Central Management Services upgraded this title on January 1, 1995. The July 1, 1995 salary is correct as shown in the Table.

The retroactive negotiated salary for the Police Officer III in Table P: it was not known when a settlement would be reached. The title was included in the Pay Plan with salary "to be determined".

The full text of the proposed amendment(s) begins on the next page.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND POSITION CLASSIFICATIONS
CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 310
PAY PLAN

SUBPART A: NARRATIVE

Section	Policy and Responsibilities
310.20	Jurisdiction
310.30	Pay Schedules
310.40	Definitions
310.50	Conversion of Base Salary to Pay Period Units
310.60	Conversion of Base Salary to Daily or Hourly Equivalents
310.70	Increases in Pay
310.80	Decreases in Pay
310.90	Other Pay Provisions
310.100	Implementation of Pay Plan Changes for Fiscal Year 1996
310.110	Interpretation and Application of Pay Plan
310.120	Effective Date
310.130	Reinstitution of Within Grade Salary Increases
310.140	Fiscal Year 1985 Pay Changes in Schedule of Salary Grades, Effective July 1, 1984 (Repealed)

SUBPART B: SCHEDULE OF RATES

Section	Introduction
310.205	Prevailing Rate
310.210	Negotiated Rate
310.220	Part-Time Daily or Hourly Special Services Rate
310.230	Hourly Rate
310.240	Member, Patient and Inmate Rate
310.250	Trainee Rate
310.260	Legislated and Contracted Rate
310.270	Designated Rate
310.280	Out-of-State or Foreign Service Rate
310.290	Educator Schedule for RC-063 and HR-010
310.300	Physician Specialist Rate
310.310	Annual Compensation Ranges for Executive Director and Assistant Executive Director, State Board of Elections
310.320	Excluded Classes Rate (Repealed)
310.330	

SUBPART C: MERIT COMPENSATION SYSTEM

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

Section	Jurisdiction	TABLE X	RC-063 (Professional Employees, AFSCME)
310.410	Objectives	TABLE Y	RC-063 (Educators, AFSCME)
310.420	Responsibilities	TABLE Z	RC-063 (Physicians, AFSCME)
310.430	Merit Compensation Salary Schedule	APPENDIX B	Schedule of Salary Grades - Monthly Rates of Pay for Fiscal Year 1996
310.440	Procedures for Determining Annual Merit Increases	APPENDIX C	Medical Administrator Rates for Fiscal Year 1995
310.450	Intermittent Merit Increase	APPENDIX D	Merit Compensation System Salary Schedule for Fiscal Year 1995
310.455	Merit Zone	APPENDIX E	Teaching Salary Schedule (Repealed)
310.456	Other Pay Increases	APPENDIX F	Physician and Physician Specialist Salary Schedule (Repealed)
310.460	Adjustment	APPENDIX G	Public Service Administrator Class Series Salary Schedule
310.480	Decreases in Pay		
310.490	Other Pay Provisions		
310.495	Public Service Administrator Class Series Definitions		AUTHORITY: Implementing and authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 8a].
310.500	Conversion of Base Salary to Pay Period Units		SOURCE: Filed June 28, 1967; codified at 8 Ill. Reg. 1558; emergency amendment at 8 Ill. Reg. 1990, effective January 31, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 2440, effective March 15, 1984; emergency amendment at 8 Ill. Reg. 3348, effective March 5, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 4244, effective March 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 5704, effective April 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 7290, effective May 11, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 12129, effective June 25, 1984; emergency amendment at 8 Ill. Reg. 12616, effective July 1, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 15007, effective August 6, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 15307, effective August 13, 1984; emergency amendment at 8 Ill. Reg. 21310, effective October 10, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21544, effective October 24, 1984; amended at 8 Ill. Reg. 22844, effective November 14, 1984; emergency amendment at 9 Ill. Reg. 1134, effective January 16, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 21320, effective January 23, 1985; amended at 9 Ill. Reg. 3681, effective March 12, 1985; emergency amendment at 9 Ill. Reg. 4163, effective March 15, 1985, for a maximum of 150 days; emergency amendment at 9 Ill. Reg. 9231, effective May 31, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9420, effective June 7, 1985; amended at 9 Ill. Reg. 10663, effective July 1, 1985; emergency amendment at 9 Ill. Reg. 15043, effective September 24, 1985, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 3135, effective January 22, 1986; amended at 10 Ill. Reg. 3230, effective January 24, 1986; emergency amendment at 10 Ill. Reg. 8904, effective May 13, 1986, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 8928, effective May 13, 1986; emergency amendment at 10 Ill. Reg. 12090, effective June 30, 1986, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 14867, effective August 26, 1986; amended at 10 Ill. Reg. 15567, effective September 17, 1986; emergency amendment at 10 Ill. Reg. 17765, effective September 30, 1986, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 19132, effective October 28, 1986; emergency amendment at 10 Ill. Reg. 21097, effective December 9, 1986; amended at 11 Ill. Reg. 648, effective December 22, 1986; emergency amendment at 11 Ill. Reg.
310.510	Conversion of Base Salary to Daily or Hourly Equivalents		
310.520	Implementation		
310.530	Annual Merit Increase Guidechart for Fiscal Year 1995		
310.540	Fiscal Year 1985 Pay Changes in Merit Compensation System, effective July 1, 1984 (Repealed)		

APPENDIX A	Negotiated Rates of Pay	State of Illinois Building - SEIU)
TABLE A	HR-190 (Department of Central Management Services -	NR-916 (Department of Natural Resources, Teamsters)
TABLE B	NR-200 (Department of Labor - Chicago, Illinois - SEIU)	RC-069 (Firefighters, AFSCME)
TABLE C	RC-001 (Teamsters Local #726)	RC-001 (Teamsters Local #330)
TABLE D	RC-020 (Teamsters Local #25)	RC-019 (Teamsters Local #25)
TABLE E	RC-045 (Automotive Mechanics, IFPE)	RC-006 (Correctional Employees, AFSCME)
TABLE F	RC-006 (Correctional Employees, AFSCME)	RC-009 (Institutional Employees, AFSCME)
TABLE G	RC-014 (Clerical Employees, AFSCME)	RC-010 (Residential Maintenance Workers, AFSCME)
TABLE H	RC-023 (Registered Nurses, INA)	RC-028 (Paraprofessional Human Services Employees, AFSCME)
TABLE I	RC-008 (Boilermakers)	RC-010 (Conservation Police Lodge)
TABLE J	RC-110 (Conservation Police Lodge)	RC-028 (Paraprofessional Investigatory Employees, IFPE)
TABLE K	RC-010 (Professional Legal Unit, AFSCME)	RC-033 (Meat Inspectors, IFPE)
TABLE L	RC-029 (Paraprofessional Law Enforcement Employees, IFPE)	RC-042 (Residential Maintenance Workers, AFSCME)
TABLE M	RC-028 (Paraprofessional Human Services Employees, AFSCME)	HR-012 (Fair Employment Practices Employees, SEIU)
TABLE N	RC-029 (Paraprofessional Investigatory Employees, IFPE)	HR-010 (Teachers of Deaf, IFT)
TABLE O	RC-029 (Paraprofessional Law Enforcement Employees, IFPE)	HR-010 (Teachers of Deaf, Extracurricular Paid Activities)
TABLE P	RC-029 (Paraprofessional Law Enforcement Employees, IFPE)	CU-500 (Corrections, Meet and Confer Employees)
TABLE Q	RC-033 (Meat Inspectors, IFPE)	RC-062 (Technical Employees, AFSCME)
TABLE R	RC-042 (Residential Maintenance Workers, AFSCME)	
TABLE S	HR-012 (Fair Employment Practices Employees, SEIU)	
TABLE T	HR-010 (Teachers of Deaf, IFT)	
TABLE U	HR-010 (Teachers of Deaf, Extracurricular Paid Activities)	
TABLE V	CU-500 (Corrections, Meet and Confer Employees)	
TABLE W	RC-062 (Technical Employees, AFSCME)	

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

3363, effective February 3, 1987; peremptory amendment at 11 Ill. Reg. 4388, effective February 27, 1987; peremptory amendment at 11 Ill. Reg. 6291, effective March 23, 1987; peremptory amendment at 11 Ill. Reg. 5901, effective March 24, 1987; emergency amendment at 11 Ill. Reg. 8787, effective April 15, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 11830, effective July 1, 1987, for a maximum of 150 days; peremptory amendment at 11 Ill. Reg. 13675, effective July 29, 1987; amended at 11 Ill. Reg. 14984, effective August 27, 1987; peremptory amendment at 11 Ill. Reg. 15273, effective September 1, 1987; peremptory amendment 11 Ill. Reg. 17919, effective October 19, 1987; peremptory amendment at 11 Ill. Reg. 19812, effective November 19, 1987; emergency amendment at 11 Ill. Reg. 20664, effective December 4, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20778, effective December 11, 1987; peremptory amendment at 12 Ill. Reg. 3811, effective January 27, 1988; peremptory amendment at 12 Ill. Reg. 5459, effective March 3, 1988; amended at 12 Ill. Reg. 6073, effective March 21, 1988; peremptory amendment at 12 Ill. Reg. 7783, effective April 14, 1988; emergency amendment at 12 Ill. Reg. 7734, effective April 15, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 8135, effective April 22, 1988; peremptory amendment at 12 Ill. Reg. 9745, effective May 23, 1988; emergency amendment at 12 Ill. Reg. 11778, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 12895, effective July 18, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 13306, effective July 27, 1988; corrected at 12 Ill. Reg. 13359; amended at 12 Ill. Reg. 14630, effective September 6, 1988; amended at 12 Ill. Reg. 20449, effective November 28, 1988; peremptory amendment at 12 Ill. Reg. 20584, effective November 28, 1988; peremptory amendment at 13 Ill. Reg. 8080, effective May 10, 1989; amended at 13 Ill. Reg. 8849, effective May 30, 1989; peremptory amendment at 13 Ill. Reg. 8970, effective May 26, 1989; emergency amendment at 13 Ill. Reg. 10967, effective June 20, 1989; for a maximum of 150 days; emergency amendment expired on November 17, 1989; amended at 13 Ill. Reg. 11451, effective June 28, 1989; emergency amendment at 13 Ill. Reg. 11854, effective July 1, 1989, for a maximum of 150 days; corrected at 13 Ill. Reg. 12647; peremptory amendment at 13 Ill. Reg. 12887, effective July 24, 1989; amended at 13 Ill. Reg. 16950, effective October 20, 1989; amended at 13 Ill. Reg. 19002, effective June 11, 1990; emergency amendment at 14 Ill. Reg. 11330, effective June 29, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14361, effective August 24, 1990; emergency amendment at 14 Ill. Reg. 15570, effective September 11, 1990, for a maximum of 150 days; emergency amendment expired on February 8, 1991; corrected at 14 Ill. Reg. 16092; peremptory amendment at 14 Ill. Reg. 17098, effective September 26, 1990; amended at 14 Ill. Reg. 17189, effective October 2, 1990; amended at 14 Ill. Reg. 1789, effective October 19, 1990; peremptory amendment at 14 Ill. Reg. 18854, effective November 13, 1990; peremptory amendment at 15 Ill. Reg. 3296, effective February 14, 1991; amended at 15 Ill. Reg. 3296, effective February 14,

NOTICE OF PROPOSED AMENDMENTS

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

1991; amended at 15 Ill. Reg. 4401, effective March 11, 1991; peremptory amendment at 15 Ill. Reg. 5100, effective March 20, 1991; peremptory amendment at 15 Ill. Reg. 5465, effective April 2, 1991; emergency amendment at 15 Ill. Reg. 10485, effective July 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 11080, effective July 19, 1991; amended at 15 Ill. Reg. 13080, effective August 21, 1991; amended at 15 Ill. Reg. 14210, effective December 26, 1991, for a maximum of 150 days; peremptory amendment at 16 Ill. Reg. 711, effective December 26, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3450, effective February 20, 1992; peremptory amendment at 16 Ill. Reg. 5068, effective March 11, 1992; peremptory amendment at 16 Ill. Reg. 7056, effective April 20, 1992; emergency amendment at 16 Ill. Reg. 8239, effective May 19, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 8382, effective May 26, 1992; emergency amendment at 16 Ill. Reg. 13950, effective August 19, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14452, effective September 4, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 238, effective December 23, 1992; peremptory amendment at 17 Ill. Reg. 498, effective December 18, 1992; amended at 17 Ill. Reg. 590, effective January 4, 1993; amended at 17 Ill. Reg. 1819, effective February 2, 1993; amended at 17 Ill. Reg. 6441, effective April 8, 1993; emergency amendment at 17 Ill. Reg. 12900, effective July 22, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 13409, effective July 29, 1993; emergency amendment at 17 Ill. Reg. 13789, effective August 9, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 14666, effective August 26, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 19103, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 21858, effective December 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 22514, effective December 15, 1993; amended at 18 Ill. Reg. 227, effective December 17, 1993; amended at 18 Ill. Reg. 1107, effective January 18, 1994; amended at 18 Ill. Reg. 5146, effective March 21, 1994; peremptory amendment at 18 Ill. Reg. 9562, effective June 13, 1994; emergency amendment at 18 Ill. Reg. 11298, effective July 1, 1994, for a maximum of 150 days; peremptory amendment at 18 Ill. Reg. 13476, effective August 17, 1994; emergency amendment at 18 Ill. Reg. 14417, effective September 9, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 16545, effective October 31, 1994; peremptory amendment at 18 Ill. Reg. 16708, effective October 28, 1994; amended at 19 Ill. Reg. 17191, effective November 21, 1994; for a maximum of 150 days; peremptory amendment at 19 Ill. Reg. 1905, effective January 24, 1995; peremptory amendment at 19 Ill. Reg. 1995; peremptory amendment at 19 Ill. Reg. 3073, effective February 17, 1995; amended at 19 Ill. Reg. 3456, effective March 7, 1995; peremptory amendment at 19 Ill. Reg. 5145, effective March 14, 1995; amended at 19 Ill. Reg. 6452, effective May 2, 1995; peremptory amendment at 19 Ill. Reg. 6688, effective May 1, 1995; amended at 19 Ill. Reg. 7841, effective June 1, 1995; amended at 19 Ill. Reg. 8156, effective June 12, 1995; amended at 19 Ill. Reg. 3096, effective June 27, 1995; emergency amendment at 19 Ill. Reg. 11954, effective August 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 17189, effective October 19, 1990; amended at 14 Ill. Reg. 18719, effective November 13, 1990; peremptory amendment at 14 Ill. Reg. 18854, effective January 7, 1991; amended at 15 Ill. Reg. 3296, effective February 14,

SUBPART A: NARRATIVE

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

Section 310.30 Jurisdiction

All positions of employment in the service of the State of Illinois shall be subject to the provisions of this Part unless specifically excluded now, or hereafter, under Section 4(c) (General Exemptions) or Section 4(d) (Partial Exemptions) of the Personnel Code ~~ffff-rev-state-1991-ch-407-par-63b+et+seq+~~ [20 ILCS 415/4(c) or (d)] or other pertinent legislation. Those positions to which jurisdiction of the Personnel Code has been or may be later extended shall also be subject to the provisions of this Part.

(Source: Amended at 19 Ill. Reg. _____, effective _____)

Section 310.40 Pay Schedules

The attached Schedule of Salary Grades (Appendix B), Schedule of Rates (Subpart B), Medical Administrator Rates (Appendix C) and the Merit Compensation System (Subpart C) are hereby made a part of this Part. Each employee subject to this Part, except those whose rates of pay is determined under the Schedule of Rates (Subpart B) or the Merit Compensation System (Subpart C) of this Part, or Section 8a of the Personnel Code ~~ffff-rev-state-1991-ch-407-par-63b+et+~~ [20 ILCS 415/8a], shall be paid at a step in the appropriate salary grade in the Schedule of Salary Grades (Appendix B) for the class of position in which he/she is employed.

(Source: Amended at 19 Ill. Reg. _____, effective _____)

SUBPART B: SCHEDULE OF RATES

Section 310.210 Prevailing Rate

The rate of pay for each class and locality certified as being correct by the Director of Labor and approved by the Director of Central Management Services or as established under the Prevailing Wage Act ~~ffff-rev-state-1991-ch-407-par-39c+et+~~ [820 ILCS 130+] The following are prevailing rate classes:

Baker
Barber
Beautician
Brickmason
Carpenter
Carpenter Foreman
Cement Finisher
Electrician
Highway Construction
Equipment Operator
Laborer
Painter
Plasterer
Plumber
Roofer
Sewage Plant Operator
Sign Painter
Sign Painter Foreman
Sign Painter Helper
Stationary Engineer
Stationary Fireman

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

Section 310.280 Designated Rate

The rate of pay for a specific position or class of positions where it is deemed desirable to exclude such from the other requirements of this Pay Plan shall be only as designated by the Governor.

Banks-and-Trust-Commission

Technician-Adviser-v
tPos-Nov-45255-50-92-400-00-01+

Department-of-Central-Management-Services

Executive-Press-Photographer
tPos-Nov-14000-37-05-000-00-36+

Information-System-Specialist-ff
tPos-Nov-21212-37-10-000-00-01+

Department_of_Children_&_Family_Services
Private Secretary II
[Pos. No. 34202-16-00-000-03-30]

Department_of_Commerce_&_Community_Affairs
Commerce-&-Community-Affairs-Program-Executive
tPos-Nov-08400-42-00-070-00-01+

Commerce-&-Community-Affairs-Program-Executive
Commerce-&-Community-Affairs-Program-Executive
tPos-Nov-08400-42-00-070-00-01+

Commerce-&-Community-Affairs-Program-Executive
Commerce-&-Community-Affairs-Program-Executive
tPos-Nov-08400-42-00-070-00-01+

Economic-Development-Representative-Specialist
Economic-Development-Representative-Specialist
tPos-Nov-12937-42-35-140-20-01+

Executive-FY-tPos-Nov-19854-42-35-140-00-01+
Executive-FY-tPos-Nov-19854-42-35-140-00-01+

Annuit-Satery
Annuit-Satery
5677920

Annuit-Satery

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

\$627000Executive-IY-tPos7-No7-13854-42-25-200-00-0††Annual-Salary
61,440Public Information Officer IV
tPos7-No7-13804-42-00-000-40-02†
(Pos. No. 37004-42-00-0273-10-01)Public Service Administrator
(Pos. No. 37015-12-35-140-20-01)
Department-of-EconservationAdministrative-Assistant-IY
tPos7-No7-00004-12-00-000-40-02†Executive-IY
tPos7-No7-13859-12-02-00-00-0††Executive-IY
tPos7-No7-13855-12-03-00-00-0††Health-Care-East-Containment-Committee
Department-of-Employment-SecurityAdministrative-Assistant-IY
tPos7-No7-00004-44-00-000-20-0††

Health-Care-East-Containment-Committee

Executive-IY
tPos7-No7-13855-50-72-000-00-0††

Illinoies-Arts-Entertainment

Executive-Biector-of-the-Fit-Arts-Entertain
tPos7-No7-13860-50-90-000-00-0††

Department of Insurance

Deputy-Director
tPos7-No7-12200-14-00-000-00-0††

Insurance-Program-Executive

Post-No7-21676-14-30-000-00-0††
(Pos. No. 40070-14-30-000-00-01)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

Department of Mental Health and Developmental DisabilitiesExecutive-IYAnnual-Salary
607000Annual Salary
131,250Annual-Salary
457000Annual-Salary
555548Annual-Salary
907000Annual-Salary
54724Annual-Salary
547200Annual-Salary
72,000Department of Natural ResourcesAnnual-Salary
647000Annual-Salary
547200Annual-Salary
647000Annual-Salary
627769Annual-Salary
557015Annual-Salary
727600Annual-Salary
607068Annual-Salary
90,648Annual-Salary
587712Annual-Salary
557015

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

Section 310. TABLE J RC-014 (Clerical Employees, AFSCME)

Effective: July 1, 1994

Amendments effective July 1, 1994

S I T E P S		N O T I C E O F P R O P O S E D A M E N D M E N T S	
1 a/a/	1 2 3	1885	1942 2024 2100
Account Clerk I	1447 1490 1540	1546	1592 1647 1705
Account Clerk II	1546 1592 1647	8.15	8.39 8.62 8.87
Account Technician I	1724 1776 1853	1360	1401 1441 1490
Account Technician II	1885 1942 2024	1447	1490 1540 1591
Administrative Services Worker Trainee	1324 1364 1401	1546	1592 1647 1705
Aircraft Dispatcher	1885 1942 2024	1724	1776 1853 1920
Aircraft Lead Dispatcher	2062 2124 2216	1660	1710 1774 1843
Audio Visual Technician I	1495 1540 1592	1399	1441 1490 1538
Audio Visual Technician II	1660 1710 1774	1495	1540 1592 1644
Buyer Assistant	1724 1776 1853	1599	1647 1710 1771
Check Issuance Machine Operator	1660 1710 1774	1324	1364 1401 1441
Clerical Trainee	TR	1495	1540 1592 1644
Communication Dispatcher	1660 1710 1774	1599	1647 1710 1771
Communication Equipment Technician I	2373 2444 2561	1399	1441 1490 1538
Communication Equipment Technician II	2637 2716 2561	1660	1710 1774 1843
Communication Equipment Technician III	2786 2870 2854	1800	1854 1931 2002
Court Reporter	2153 2218 2321	1800	1854 1931 2002
Data Processing Assistant	1495 1540 1592	2062	2124 2216 2309
Data Processing Operator	1399 1441 1490	2153	2218 2321 2422
Data Processing Operator Trainee	1324 1364 1401	1800	1854 1931 2002
Drafting Worker	1800 1854 1931	2062	2124 2216 2309
Electronic Equipment Installer / Repairer	1724 1776 1853	2153	2218 2321 2422
Electronic Equipment Installer / Repairer Leadworker	1885 1942 2024	1660	1710 1774 1843
Electronics Technician	2153 2218 2321	1760	1820 1880 1940
Emergency Response Lead	1885 1942 2024	1786	1840 1909 1986
Telecommunicator	1724 1776 1853	1938	1995 2081 2162
Emergency Response Telecommunicator	1724 1776 1853	1660	1710 1774 1843
Engineering Response Telecommunicator	1967 2026 2112	1447	1487 1535 1581
Engineering Technician III	2262 2330 2438	1399	1441 1490 1538
Executive Secretary I	1800 1854 1931	1495	1540 1592 1644
Graphic Arts Designer	2062 2124 2216	1660	1710 1774 1843
Graphic Arts Technician	1885 1942 2024	1885	1942 2024 2100
Industrial Commission Reporter	2262 2330 2438	2153	2218 2321 2422
Industrial Commission Technician	1800 1854 1931	2373	2444 2561 2680
Insurance Analyst I	1660 1710 1774	2373	2444 2561 2680

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

Section 310. TABLE K RC-014 (Clerical Employees, AFSCME)

Effective: July 1, 1994

Amendments effective July 1, 1994

S I T E P S		N O T I C E O F P R O P O S E D A M E N D M E N T S	
1 a/a/	1 2 3	1885	1942 2024 2100
Account Clerk I	1447 1490 1540	1546	1592 1647 1705
Account Clerk II	1546 1592 1647	8.15	8.39 8.62 8.87
Account Technician I	1724 1776 1853	1360	1401 1441 1490
Account Technician II	1885 1942 2024	1447	1490 1540 1591
Administrative Services Worker Trainee	1324 1364 1401	1546	1592 1647 1705
Aircraft Dispatcher	1885 1942 2024	1724	1776 1853 1920
Aircraft Lead Dispatcher	2062 2124 2216	1660	1710 1774 1843
Audio Visual Technician I	1495 1540 1592	1399	1441 1490 1538
Audio Visual Technician II	1660 1710 1774	1495	1540 1592 1644
Buyer Assistant	1724 1776 1853	1660	1710 1774 1843
Check Issuance Machine Operator	1660 1710 1774	1800	1854 1931 2002
Clerical Trainee	TR	2062	2124 2216 2309
Communication Dispatcher	1660 1710 1774	2153	2218 2321 2422
Communication Equipment Technician I	2373 2444 2561	1800	1854 1931 2002
Communication Equipment Technician II	2637 2716 2561	2062	2124 2216 2309
Communication Equipment Technician III	2786 2870 2854	2153	2218 2321 2422
Court Reporter	2153 2218 2321	1800	1854 1931 2002
Data Processing Assistant	1495 1540 1592	2062	2124 2216 2309
Data Processing Operator	1399 1441 1490	2153	2218 2321 2422
Data Processing Operator Trainee	1324 1364 1401	1800	1854 1931 2002
Drafting Worker	1800 1854 1931	2062	2124 2216 2309
Electronic Equipment Installer / Repairer	1724 1776 1853	2153	2218 2321 2422
Electronic Equipment Installer / Repairer Leadworker	1885 1942 2024	1660	1710 1774 1843
Electronics Technician	2153 2218 2321	1760	1820 1880 1940
Emergency Response Lead	1885 1942 2024	1786	1840 1909 1986
Telecommunicator	1724 1776 1853	1938	1995 2081 2162
Emergency Response Telecommunicator	1724 1776 1853	1660	1710 1774 1843
Engineering Response Telecommunicator	1967 2026 2112	1447	1487 1535 1581
Engineering Technician III	2262 2330 2438	1399	1441 1490 1538
Executive Secretary I	1800 1854 1931	1495	1540 1592 1644
Graphic Arts Designer	2062 2124 2216	1660	1710 1774 1843
Graphic Arts Technician	1885 1942 2024	1885	1942 2024 2100
Industrial Commission Reporter	2262 2330 2438	2153	2218 2321 2422
Industrial Commission Technician	1800 1854 1931	2373	2444 2561 2680
Insurance Analyst I	1660 1710 1774	2373	2444 2561 2680

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

Telecommunicator	1885	1942	2024	2100
Telecommunicator-Command Center	1967	2026	2112	2202
Telecommunicator Lead Worker	2062	2124	2216	2309
Telecommunicator Lead Worker-Command Center	2153	2218	2321	2422
Telecommunicator Trainee	1724	1776	1853	1920
Vehicle Permit Evaluator	1800	1854	1931	2002
Veterans Service Officer Associate	1800	1854	1931	2002

S T E P S (cont.)

4	5	6	7	
1642	1690	1710	1826	
1763	1820	1881	1982	
1993	2063	2138	2256	
2187	2267	2353	2484	
1489	1532	1574	1647	
2187	2267	2353	2484	
2412	2504	2601	2751	
1700	1753	1810	1901	
1909	1981	2049	2155	
1993	2063	2138	2256	
1909	1981	2049	2155	
1909	1981	2049	2155	
2792	3006	3024	3204	
3126	3258	3395	3600	
3305	3447	3589	3809	
2521	2624	2722	2884	
1700	1753	1810	1901	
1582	1635	1680	1766	
1489	1532	1574	1647	
2084	2161	2235	2360	
1993	2063	2138	2256	
1993	2063	2138	2256	
2187	2267	2353	2484	
2655	2766	2877	3047	
2084	2161	2235	2360	
2412	2504	2601	2751	
2187	2267	2353	2484	
1763	1820	1881	1982	
9.16	9.43	9.69	10.14	
1535	1578	1623	1701	

NOTICE OF PROPOSED AMENDMENTS

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

1642	1690	1740	1826
1763	1820	1881	1982
1993	2063	2138	2256
1909	1981	2049	2155
1763	1820	1881	1982
1909	1981	2049	2155
1838	1897	1962	2066
1489	1532	1574	1647
1700	1753	1810	1901
1838	1897	1962	2066
1582	1635	1680	1766
1909	1981	2049	2155
2084	2161	2235	2360
2412	2504	2601	2751
2521	2624	2722	2884
2521	2624	2722	2884
2084	2161	2235	2360
2412	2504	2601	2751
2521	2624	2722	2884
1580	1633	1674	1760
1589	1740	1795	1882
1909	1981	2049	2155
1763	1820	1881	1982
1909	1981	2049	2155
1580	1633	1674	1760
1589	1740	1795	1882
1909	1981	2049	2155
1763	1820	1881	1982
1909	1981	2049	2155
1642	1690	1740	1826
1909	1981	2049	2155
2084	2161	2235	2360
2412	2504	2601	2751
2521	2624	2722	2884
2521	2624	2722	2884
2055	2137	2206	2324
2250	2334	2412	2549
1632	1683	1731	1818
1582	1635	1680	1766
1700	1753	1810	1901
1909	1981	2049	2155
2187	2267	2353	2484
2521	2624	2722	2884
2792	2906	3024	3204
2187	2267	2353	2484
2491	2378	2469	2609
2412	2504	2601	2751
2521	2624	2722	2884
1993	2063	2138	2256
2187	2267	2353	2484
2655	2766	2877	3047
2084	2161	2235	2360
1909	1981	2049	2155
2187	2267	2353	2484
1763	1820	1881	1982
9.16	9.43	9.69	10.14
1535	1578	1623	1701

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

2084	2161	2235	2360
2084	2161	2235	2360
<u>Effective:</u> November 1, 1994			

	1a 1/	S T E P S	2	3
<u>Telecommunicator Call Taker</u>	1967	2026	2112	2202
<u>Telecommunicator Lead Call Taker</u>	2153	2218	2321	2422

	1	S T E P S (cont.)	2	3
	2291	2378	2469	2609
	2521	2624	2722	2884

^{1/} Entry level step in first year of contract.

Effective July 1, 1995

S T E P S

Account Clerk I	1447	1490	1535	1586	1639	1696	1756	1816	1876	1936	1996
Account Clerk II	1546	1592	1640	1696	1756	1816	1876	1936	1996	2056	2116
Account Technician I	1724	1776	1829	1909	1978	2048	2116	2184	2254	2324	2394
Account Technician II	1885	1942	2000	2085	2163	2243	2321	2401	2481	2561	2641
Administrative Services Worker Trainee	1324	1364	1405	1443	1484	1524	1564	1604	1644	1704	1764
Aircraft Dispatcher	1885	1942	2000	2085	2163	2241	2319	2397	2477	2557	2637
Aircraft Lead Dispatcher	2062	2124	2188	2282	2378	2476	2574	2672	2770	2870	2968
Audio Visual Technician I	1495	1540	1586	1640	1683	1741	1801	1861	1921	1981	2041
Buyer Assistant	1724	1776	1829	1909	1978	2048	2116	2184	2254	2324	2394
Check Issuance Machine Operator	1660	1710	1761	1827	1898	1968	2038	2108	2178	2248	2318
Clerical Trainee	TR	1660	1710	1761	1827	1898	1968	2038	2108	2178	2248
Communication Dispatcher	1660	1710	1761	1827	1898	1968	2038	2108	2178	2248	2318
Communication Equipment Technician I	2373	2414	2517	2638	2760	2881	2991	3111	3231	3351	3471
Communication Equipment Technician II	2637	2716	2797	2940	3078	3208	3338	3468	3598	3728	3858
Communication Equipment Technician III	2786	2870	2956	3104	3250	3404	3554	3704	3854	4004	4154
Court Reporter	2153	2218	2285	2391	2495	2605	2715	2825	2935	3045	3155
Data Processing Assistant	1495	1540	1586	1640	1693	1756	1816	1876	1936	1996	2056
Data Processing Operator	1399	1441	1484	1535	1584	1634	1684	1734	1784	1834	1884
Data Processing Operator Trainee	1324	1364	1405	1443	1484	1524	1564	1604	1644	1684	1724
Drafting Worker	1800	1854	1910	1989	2062	2132	2192	2252	2312	2372	2432

NOTICE OF PROPOSED AMENDMENTS

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

Reproduction Service Technician III	1800	1854	1910	1989	2062	2147	2226	2302
<u>Safety-Responsibility-Analyst-I</u>	<u>+669</u>	<u>+710</u>	<u>+827</u>	<u>+998</u>	<u>2053</u>	<u>2125</u>	<u>2202</u>	<u>2224</u>
<u>Safety-Responsibility-Analyst-II</u>	<u>+885</u>	<u>+842</u>	<u>2000</u>	<u>2085</u>	<u>2163</u>	<u>2253</u>	<u>2335</u>	<u>2424</u>
<u>Safety Responsibility Analyst</u>	<u>1885</u>	<u>1942</u>	<u>2000</u>	<u>2085</u>	<u>2085</u>	<u>2597</u>	<u>2703</u>	<u>2559</u>
Storekeeper I	1786	1840	1895	1966	2046	2253	2335	2424
Storekeeper II	1938	1996	2056	2143	2227	2053	2125	2202
Stores Clerk	1444	1487	1532	1581	1628	2360	2449	2543
Switchboard Operator I	1399	1441	1484	1535	1584	2375	2849	2963
Switchboard Operator II	1495	1540	1586	1640	1693	2147	2226	2302
Tax Examiner	1660	1710	1761	1827	1898	2484	2579	2679
Tax Examiner Trainee	1495	1540	1586	1640	1693	2253	2335	2424
Taxpayer Service Representative I	1495	1540	1586	1640	1693	2735	2849	2963
Taxpayer Service Representative II	1660	1710	1761	1827	1898	2147	2226	2302
Taxpayer Service Representative III	1885	1942	2000	2085	2163	1966	2040	2110
Telecommunications Field Advisor	2153	2218	2285	2391	2495	2253	2335	2424
Telecommunications Advisor Lead Worker	2373	2444	2517	2638	2760	1816	1875	1937
Telecommunicator	1885	1942	2000	2085	2163	944	9.71	9.98
Telecommunicator-Command Center	1967	2026	2087	2175	2268	1581	1625	1672
Telecommunicator Call Taker	1967	2026	2087	2175	2268	1691	1741	1792
<u>Telecommunicator Lead Call Taker</u>	<u>2153</u>	<u>2218</u>	<u>2285</u>	<u>2391</u>	<u>2495</u>	<u>1816</u>	<u>1875</u>	<u>1937</u>
Telecommunicator Lead Worker	2062	2124	2188	2282	2378	1666	2040	2110
Telecommunicator Lead Worker-Command Center	2153	2218	2285	2391	2495	1666	2040	2110
Telecommunicator Trainee	1724	1776	1829	1909	1978	1666	2040	2110
Vehicle Permit Evaluator	1800	1854	1910	1989	2062	1751	1806	1864
Veterans Service Officer Associate	1800	1854	1910	1989	2062	1893	1954	2021

S T E P S (cont.)

1691	1741	1792	1881	1751	1806	1864	1958
1816	1875	1937	2041	1893	1954	2021	2128
2053	2125	2202	2324	1629	1684	1730	1819
2253	2335	2424	2559	1966	2040	2110	2220
1534	1578	1621	1696	2147	2226	2302	2431
2253	2335	2424	2559	2484	2579	2679	2834
2253	2335	2424	2559	2597	2703	2804	2971
2484	2579	2679	2834	2147	2226	2302	2431
1751	1806	1864	1958	1966	2040	2110	2220
1966	2040	2110	2220	2579	2679	2703	2834
2053	2125	2202	2324	1816	1875	1937	2041
1966	2040	2110	2220	1666	2040	2110	2220
1966	2040	2110	2220	1627	1672	1724	1813
1751	1806	1864	1958	1740	1792	1849	1938
1629	1684	1730	1819	1893	1954	2021	2128
1534	1578	1621	1696	1534	1578	1621	1696

NOTICE OF PROPOSED AMENDMENTS

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

2253	2335	2424	2559
2253	2335	2424	2559
2117	2201	2272	2394
2318	2404	2484	2625
1681	1733	1783	1873
1629	1684	1730	1819
1751	1806	1864	1958
1966	2040	2110	2220
1751	1806	1864	1958
1966	2040	2110	2220
2253	2335	2424	2559
2597	2703	2804	2971
2876	2993	3115	3300
2253	2335	2424	2559
2360	2449	2543	2687
2360	2449	2543	2687
2597	2703	2804	2971
2484	2579	2649	2834
2597	2703	2804	2971
2053	2125	2202	2324
2147	2226	2302	2431
2147	2226	2302	2431

2/ Entry level step in second year of contract.

Effective: July 1, 1996

S T E P S				Licenses-Quality Assurance			
1C 3 /	1b	1a	1	2	3	4	5
1447	1490	1535	1591	1634	1688	1744	1802
1546	1592	1640	1689	1747	1809	1860	1955
1724	1776	1829	1884	1966	2037	2097	2124
1885	1942	2000	2060	2148	2228	2290	2350
1324	1364	1405	1447	1486	1529	1571	1632
1885	1942	2000	2060	2148	2228	2290	2350
2062	2124	2188	2254	2350	2449	2541	2643
1495	1540	1586	1634	1689	1744	1804	1879
1660	1710	1761	1814	1882	1955	2027	2049
1724	1776	1829	1884	1966	2037	2100	2124
1660	1710	1761	1814	1882	1955	2027	2049
TR							
1660	1710	1761	1814	1882	1955	2027	2049
Communication Dispatcher	2373	2444	2517	2593	2717	2843	2970
Communication Equipment	2637	2716	2797	2881	3028	3170	3348
Technician I							
Communication Equipment	2786	2870	2956	3045	3197	3348	3582
Procurement Representative							

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS			
Court Reporter	2153	2218	2285
Data Processing Assistant	1495	1540	1586
Data Processing Operator	1399	1441	1484
Data Processing Operator Trainee	1324	1364	1405
Drafting Worker	1800	1854	1910
Electronic Equipment	1724	1776	1829
Electronic Equipment	1885	1942	2000
Installer/Repairer Leadworker			
Electronics Technician	2153	2218	2285
Emergency Response Lead	1885	1942	2000
Telecommunicator			
Emergency Response	1724	1776	1829
Telecommunicator			
Engineering Technician II	1967	2026	2087
Engineering Technician III	2262	2330	2400
Executive Secretary I	1800	1854	1910
Graphic Arts Designer	2062	2124	2188
Graphic Arts Technician	1885	1942	2000
Industrial Commission Reporter	2262	2330	2400
Industrial Commission Technician	1800	1854	1910
Insurance Analyst I	1660	1710	1761
Insurance Analyst II	1885	1942	2000
Insurance Analyst Trainee	1546	1592	1640
Intermittent Clerk	8.15	8.39	8.65
Library Aide I	1360	1401	1443
Library Aide II	1447	1490	1535
Library Aide III	1546	1592	1640
Library Technical Assistant	1724	1776	1829
Analyst	1660	1710	1761
Microfilm Laboratory Technician I	1546	1592	1640
Microfilm Laboratory Technician II	1660	1710	1761
Microfilm Operator I	1399	1441	1484
Microfilm Operator II	1495	1540	1586
Microfilm Operator III	1599	1647	1696
Office Aide	1324	1364	1405
Office Assistant	1495	1540	1586
Office Associate	1599	1647	1696
Office Clerk	1399	1441	1484
Office Coordinator	1660	1710	1761
Photographer I	1800	1854	1910
Photographer II	2062	2124	2188
Photographer III	2153	2218	2285
Photographic Technician I	1800	1854	1910
Photographic Technician II	2062	2124	2188
Photographic Technician III	2153	2218	2285
Procurement Representative	1660	1710	1761

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

Property & Supply Clerk I	1399	1441	1484	1529	1578	1628
Property & Supply Clerk II	1490	1535	1581	1628	1678	1740
Property Tax Examiner	1660	1710	1761	1814	1882	1955
Rehabilitation Case Coordinator I	1546	1592	1640	1689	1747	1809
Reproduction Service Technician II	1660	1710	1761	1814	1882	1955
Reproduction Service Technician I	1447	1490	1535	1581	1634	1688
Reproduction Service Technician II	1660	1710	1761	1814	1882	1955
Reproduction Service Technician III	1800	1854	1910	1967	2049	2124
Safety-Responsibility-Analyst						
Safety-Responsibility-Analyst	#669	#740	#741	#802	#955	
Safety Responsibility Analyst	#885	#942	2000	2060	2148	2228
Storekeeper I	1785	1942	2000	2060	2148	2228
Storekeeper II	1786	1840	1895	1952	2025	2107
Stores Clerk	1938	1996	2056	2118	2207	2294
Switchboard Operator I	1444	1487	1532	1578	1628	1677
Switchboard Operator II	1399	1441	1484	1529	1581	1632
Tax Examiner Trainee	1495	1540	1586	1634	1689	1744
Tax Examiner Representative I	1495	1540	1586	1634	1689	1744
Taxpayer Service Representative I	1495	1540	1586	1634	1689	1744
Taxpayer Service Representative II	1660	1710	1761	1814	1882	1955
Taxpayer Service Representative III	1885	1942	2000	2060	2148	2228
Telecommunications Field Advisor	2153	2285	2354	2457	2570	2643
Telecommunications Field Advisor	2373	2444	2517	2593	2717	2843

S T E P S (cont.)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

2211	2293	2371	2504	
2559	2656	2759	2919	
2675	2784	2888	3060	
2025	2101	2173	2287	
1676	1722	1776	1867	
1792	1846	1904	1996	
2025	2101	2173	2287	
1870	1931	1995	2102	
2025	2101	2173	2287	
1742	1793	1846	1937	
2025	2101	2173	2287	
2211	2293	2371	2504	
2025	2101	2173	2287	
1678	1735	1782	1874	
1804	1860	1920	2017	
2025	2101	2173	2287	
1804	1860	1920	2017	
1804	1860	1920	2017	
2025	2101	2173	2287	
2321	2267	2340	2466	
2388	2476	2559	2704	
1731	1785	1836	1929	
1678	1735	1782	1874	
1804	1860	1920	2017	
2025	2101	2173	2287	
1804	1860	1920	2017	
2025	2101	2173	2287	
2321	2405	2497	2636	
2675	2784	2888	3060	
2962	3083	3208	3399	
2321	2405	2497	2636	
2431	2522	2619	2768	
2431	2522	2619	2768	
2675	2784	2888	3060	
2559	2656	2759	2919	
2675	2784	2888	3060	
2115	2189	2268	2394	
2211	2293	2371	2504	
2211	2293	2371	2504	

NOTICE OF PROPOSED AMENDMENTS

Section 310. TABLE O RC-028 (Paraprofessional Human Services Employees, AFSCME)

Effective: July 1, 1994

S T R E P S

1a 1/	1	2	3
1775	1828	1909	1982
1546	1592	1647	1705
1724	1776	1853	1920
1546	1592	1647	1705
1724	1776	1853	1920
1885	1942	2024	2100
2062	2124	2216	2309
1724	1776	1853	1920
1967	2026	2112	2202
2262	2330	2438	2549
2942	3030	3186	3340
1724	1776	1853	1920
2062	2124	2216	2309
1885	1942	2024	2100
1660	1710	1774	1843
1495	1540	1592	1644
1546	1592	1647	1705
1885	1942	2024	2100
1599	1647	1710	1771
1885	1942	2024	2100
2062	2124	2216	2309
1599	1647	1710	1771
1724	1776	1853	1920
1495	1540	1592	1644
1660	1710	1774	1843
1660	1710	1774	1843
1967	2026	2112	2202
1399	1441	1487	1535
1599	1647	1710	1771
9.20	9.48	9.80	10.12
1399	1441	1490	1538
1724	1776	1853	1920
1885	1942	2024	2100
1967	2026	2112	2202
1664	1714	1780	1850

3/ Entry level step in third year of contract.

(Source: Amended at 19 Ill. Reg. _____) _____, effective _____,

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

Licensed Practical Nurse II	1746	1798	1867	1942
Medical Records Assistant	1660	1710	1774	1843
Medical Records Technician	1800	1854	1931	2002
Office Administrative Specialist	1885	1942	2024	2100
Office Specialist	1800	1854	1931	2002
Pharmacist Lead Technician	1599	1647	1710	1771
Pharmacist Technician	1495	1540	1592	1644
Publilic Aid Eligibility Assistant	1599	1647	1710	1771
Radiologic Technologist Program Coordinator	1800	1854	1931	2002
Radiologic Technologist Program Coordinator	1885	1942	2024	2100
Ranger	1967	2026	2112	2202
Rehabilitation Counselor Aide I	1660	1710	1774	1843
Rehabilitation Counselor Aide II	1800	1854	1931	2002
Senior Ranger	2062	2124	2216	2309
Site Technician I	1724	1776	1853	1920
Site Technician II	1885	1942	2024	2100
Social Service Community Planner	1800	1942	2024	2100
Statistical Research Technician	1800	1854	1931	2002
Veterans Service Officer	1885	1942	2024	2100
Vocational Instructor	1885	1942	2024	2100

STEP 5 (cont.)

Effective: January 1, 1995

2
1
1a 1

S T E P S (cont.)

S T E P S

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

State Police Evidence Technician I	1885	1942	2024	2100
State Police Evidence Technician II	1967	2026	2112	2202
1	5	6	7	
2187	2267	2353	2484	
2291	2378	2469	2609	

1/Entry level step in first year of contract.

Effective: July 1, 1995

S T E P S

1b 2/	1a	1	2	3
Apparel Dry Goods Specialist III	1775	1828	1883	1966
Assistant Reimbursement Officer	1546	1592	1640	1696
Child Development Aide III	1724	1776	1829	1909
Clinical Laboratory Associate	1546	1592	1640	1696
Clinical Laboratory Technician I	1724	1776	1829	1909
Clinical Laboratory Technician II	1885	1942	2000	2163
Compliance Officer	2062	2124	2282	2378
Conservation Resource Technician I	1724	1776	1829	1909
Conservation Resource Technician II	1967	2026	2087	2175
Construction Supervisor I	1967	2026	2087	2175
Construction Supervisor II	2262	2330	2400	2625
Crime-Scene-Technician	2942	3090	3121	3282
Crime Studies Associate	1724	1776	1829	1909
Data Processing Administrative Specialist	2062	2124	2188	2282
Data Processing Specialist	1885	1942	2000	2085
Data Processing Technician	1660	1710	1761	1827
Data Processing Technician Trainee	1495	1540	1586	1640
Dental Assistant	1546	1592	1640	1696
Dental Hygienist	1885	1942	2000	2085
Electroencephalograph Technician	1599	1647	1696	1824
Environmental Equipment Operator I	1885	1942	2000	2163
Environmental Protection	2062	2124	2188	2378
Technician I	1599	1647	1696	1761
Environmental Protection	1724	1776	1829	1909
Technician II				1978
Hearing & Speech Technician I	1495	1540	1586	1640
Hearing & Speech Technician II	1660	1710	1761	1827
Historic Site Interpreter	1660	1710	1761	1827
Historic Site Lead I	1967	2026	2087	2175
Historic Site Lead II	2062	2124	2188	2378
Housekeeper II	-399	1441	1484	1532
Inhalation Therapist	-539	1647	1696	1761
Intermittent Unemployment	1,20	9,48	9,76	10,09

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

Insurance Technician	1399	1441	1484	1535	1584
Laboratory Assistant	1724	1776	1829	1909	1978
Laboratory Associate I	1885	1942	2000	2085	2163
Laboratory Associate II	1967	2026	2087	2175	2268
Legal Research Assistant*	1709	1760	1813	1880	1956
Licensed Practical Nurse I	1792	1846	1901	1985	2059
Licensed Practical Nurse II	1660	1710	1761	1827	1966
Medical Records Assistant	1800	1854	1910	1989	2062
Medical Records Technician	1885	1942	2000	2085	2163
Office Administrative Specialist	1800	1854	1910	1989	2062
Office Specialist	1800	1854	1910	1989	2062
Pharmacist Lead Technician	1599	1647	1696	1761	1824
Pharmacist Technician	1495	1540	1586	1640	1693
Public Aid Eligibility Assistant	1599	1647	1696	1761	1824
Radiologic Technologist Program Coordinator	1885	1942	2000	2085	2163
Ranger	1967	2026	2087	2175	2268
Rehabilitation Counselor Aide I	1660	1710	1761	1827	1898
Rehabilitation Counselor Aide II	1800	1854	1910	1989	2062
Senior Ranger	2062	2124	2188	2282	2378
Site Technician I	1724	1776	1829	1909	1978
Site Technician II	1885	1942	2000	2085	2163
Social Service Community Planner	1800	1854	1910	1989	2062
State Police Evidence	1885	1942	2000	2085	2163
Technician I					
State Police Evidence	1967	2026	2087	2175	2268
Technician II					
Statistical Research Technician	1800	1854	1910	1989	2062
Veterans Service Officer	1885	1942	2000	2085	2163
Vocational Instructor	1885	1942	2000	2085	2163

NOTICE OF PROPOSED AMENDMENTS

S T E P S (cont.)	4	5	6	7
4	2118	2195	2272	2400
2053	2125	2272	2400	
2053	2125	2202	2324	
1816	1875	1937	2041	
2053	2125	2202	2324	
2253	2335	2424	2539	
2484	2579	2679	2834	
2053	2125	2202	2324	
2360	2449	2543	2687	
2360	2449	2543	2687	
2735	2849	2963	3138	
3600	3764	3920	4164	
2053	2125	2202	2324	
2484	2579	2679	2834	

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

卷之三

2/ Entry level step in second year of contract.

卷之三

Effective July 19, 1995

S T E P S	(cont.)
$\frac{1}{3600}$	$\frac{5}{3764}$

Effective: July 1, 1996

卷二

Apparel Dry Goods	1938	1939	1940	1941	1942	1943	1944	1945	1946	1947	1948	1949	1950	1951	1952	1953	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964	1965	1966	1967	1968	1969	1970	1971	1972	1973	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

Dental Assistant	1546	1592	1640	1689	1747	1809	Social Service Community Planner
Dental Hygienist	1885	1942	2000	2060	2148	2228	State Police Evidence
Electroencephalograph Technician	1599	1647	1696	1747	1814	1879	Technician I
Environmental Equipment Operator I	1885	1942	2000	2060	2148	2228	State Police Evidence
Environmental Equipment Operator II	2062	2124	2188	2254	2350	2449	Technician II
Environmental Protection Technician I	1724	1776	1829	1884	1966	2037	Statistical Research Technician
Environmental Protection Technician II	1724	1776	1829	1884	1966	2037	Veterans Service Officer
Hearing & Speech Technician I	1495	1540	1586	1634	1689	1744	Vocational Instructor
Hearing & Speech Technician II	1660	1710	1761	1814	1882	1955	STEPS (cont.)
Historic Site Interpreter	1660	1710	1761	1814	1882	1955	4 5 6 7
Historic Site Lead I	1967	2026	2087	2150	2240	2336	2476 2559
Historic Site Lead II	2062	2124	2188	2254	2350	2449	2476 2704
Housekeeper II	1399	1441	1484	1529	1578	1628	1870 1931
Inhalation Therapist	1599	1647	1696	1747	1814	1879	1870 2189
Intermittent Unemployment Insurance Technician	9.20	9.48	9.76	10.06	10.39	10.73	1870 2189
Laboratory Assistant	1399	1441	1484	1529	1582	1632	2115 2268
Laboratory Associate I	1724	1776	1829	1884	1966	2037	1870 2394
Laboratory Associate II	1885	1942	2000	2060	2148	2228	1931 2102
Legal Research Assistant*	1967	2026	2087	2150	2240	2336	1931 2102
Licensed Practical Nurse I	1709	1760	1813	1867	1936	2015	2115 2268
Licensed Practical Nurse II	1792	1846	1901	1958	2045	2121	2115 2268
Medical Records Assistant	1660	1710	1761	1814	1882	1955	1804 1860
Medical Records Technician	1800	1854	1910	1967	2049	2124	1870 1931
Office Administrative Specialist	1885	1942	2000	2060	2148	2228	1931 1995
Office Specialist	1800	1854	1910	1967	2049	2124	2115 2268
Pharmacist Lead Technician	1599	1647	1696	1747	1814	1879	1804 1860
Pharmacist Technician	1495	1540	1586	1634	1689	1744	2025 2101
Public Aid Eligibility Assistant	1599	1647	1696	1747	1814	1879	2431 2522
Radioologic Technologist	1800	1854	1910	1967	2049	2124	2559 2656
Program Coordinator	1885	1942	2000	2060	2148	2228	1676 1722
Ranger	1967	2026	2087	2150	2240	2336	1950 2013
Rehabilitation Counselor	1660	1710	1761	1814	1882	1955	11.10 11.45
Aide I	1800	1854	1910	1967	2049	2124	1678 1735
Rehabilitation Counselor Aide II	2062	2124	2188	2254	2350	2449	1735 1782
Senior Ranger	1724	1776	1829	1884	1966	2037	2170 2240
Site Technician I	1885	1942	2000	2060	2148	2228	2204 2285
Site Technician II							2285 2367

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

Dental Assistant	1546	1592	1640	1689	1747	1809	Social Service Community Planner
Dental Hygienist	1885	1942	2000	2060	2148	2228	State Police Evidence
Electroencephalograph Technician	1599	1647	1696	1747	1814	1879	Technician I
Environmental Equipment Operator I	1885	1942	2000	2060	2148	2228	State Police Evidence
Environmental Equipment Operator II	2062	2124	2188	2254	2350	2449	Technician II
Environmental Protection Technician I	1724	1776	1829	1884	1966	2037	Statistical Research Technician
Environmental Protection Technician II	1724	1776	1829	1884	1966	2037	Veterans Service Officer
Hearing & Speech Technician I	1495	1540	1586	1634	1689	1744	Vocational Instructor
Hearing & Speech Technician II	1660	1710	1761	1814	1882	1955	STEPS (cont.)
Historic Site Interpreter	1660	1710	1761	1814	1882	1955	4 5 6 7
Historic Site Lead I	1967	2026	2087	2150	2240	2336	1870 2189
Historic Site Lead II	2062	2124	2188	2254	2350	2449	2115 2268
Housekeeper II	1399	1441	1484	1529	1578	1628	2321 2405
Inhalation Therapist	1599	1647	1696	1747	1814	1879	2559 2656
Intermittent Unemployment Insurance Technician	9.20	9.48	9.76	10.06	10.39	10.73	2115 2268
Laboratory Assistant	1399	1441	1484	1529	1582	1632	2431 2522
Laboratory Associate I	1724	1776	1829	1884	1966	2037	2619 2708
Laboratory Associate II	1885	1942	2000	2060	2148	2228	2619 2708
Legal Research Assistant*	1967	2026	2087	2150	2240	2336	2619 2708
Licensed Practical Nurse I	1709	1760	1813	1867	1936	2015	2559 2656
Licensed Practical Nurse II	1792	1846	1901	1958	2045	2121	2115 2268
Medical Records Assistant	1660	1710	1761	1814	1882	1955	1804 1860
Medical Records Technician	1800	1854	1910	1967	2049	2124	1870 1931
Office Administrative Specialist	1885	1942	2000	2060	2148	2228	2321 2405
Office Specialist	1800	1854	1910	1967	2049	2124	2497 2586
Pharmacist Lead Technician	1599	1647	1696	1747	1814	1879	2115 2268
Pharmacist Technician	1495	1540	1586	1634	1689	1744	1804 1860
Public Aid Eligibility Assistant	1599	1647	1696	1747	1814	1879	2025 2101
Radioologic Technologist	1800	1854	1910	1967	2049	2124	2431 2522
Program Coordinator	1885	1942	2000	2060	2148	2228	2559 2656
Ranger	1967	2026	2087	2150	2240	2336	1676 1722
Rehabilitation Counselor	1660	1710	1761	1814	1882	1955	1950 2013
Aide I	1800	1854	1910	1967	2049	2124	11.10 11.45
Rehabilitation Counselor Aide II	2062	2124	2188	2254	2350	2449	1735 1782
Senior Ranger	1724	1776	1829	1884	1966	2037	2170 2240
Site Technician I	1885	1942	2000	2060	2148	2228	2204 2285
Site Technician II							2285 2367

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

Dental Assistant	1546	1592	1640	1689	1747	1809	Social Service Community Planner
Dental Hygienist	1885	1942	2000	2060	2148	2228	State Police Evidence
Electroencephalograph Technician	1599	1647	1696	1747	1814	1879	Technician I
Environmental Equipment Operator I	1885	1942	2000	2060	2148	2228	State Police Evidence
Environmental Equipment Operator II	2062	2124	2188	2254	2350	2449	Technician II
Environmental Protection Technician I	1724	1776	1829	1884	1966	2037	Statistical Research Technician
Environmental Protection Technician II	1724	1776	1829	1884	1966	2037	Veterans Service Officer
Hearing & Speech Technician I	1495	1540	1586	1634	1689	1744	Vocational Instructor
Hearing & Speech Technician II	1660	1710	1761	1814	1882	1955	STEPS (cont.)
Historic Site Interpreter	1660	1710	1761	1814	1882	1955	4 5 6 7
Historic Site Lead I	1967	2026	2087	2150	2240	2336	1870 2189
Historic Site Lead II	2062	2124	2188	2254	2350	2449	2115 2268
Housekeeper II	1399	1441	1484	1529	1578	1628	2321 2405
Inhalation Therapist	1599	1647	1696	1747	1814	1879	2431 2522
Intermittent Unemployment Insurance Technician	9.20	9.48	9.76	10.06	10.39	10.73	2559 2656
Laboratory Assistant	1399	1441	1484	1529	1582	1632	2619 2708
Laboratory Associate I	1724	1776	1829	1884	1966	2037	2619 2708
Laboratory Associate II	1885	1942	2000	2060	2148	2228	2619 2708
Legal Research Assistant*	1967	2026	2087	2150	2240	2336	2619 2708
Licensed Practical Nurse I	1709	1760	1813	1867	1936	2015	2559 2656
Licensed Practical Nurse II	1792	1846	1901	1958	2045	2121	2115 2268
Medical Records Assistant	1660	1710	1761	1814	1882	1955	1804 1860
Medical Records Technician	1800	1854	1910	1967	2049	2124	1870 1931
Office Administrative Specialist	1885	1942	2000	2060	2148	2228	2321 2405
Office Specialist	1800	1854	1910	1967	2049	2124	2497 2586
Pharmacist Lead Technician	1599	1647	1696	1747	1814	1879	2115 2268
Pharmacist Technician	1495	1540	1586	1634	1689	1744	1804 1860
Public Aid Eligibility Assistant	1599	1647	1696	1747	1814	1879	2025 2101
Radioologic Technologist	1800	1854	1910	1967	2049	2124	2431 2522
Program Coordinator	1885	1942	2000	2060	2148	2228	2559 2656
Ranger	1967	2026	2087	2150	2240	2336	1676 1722
Rehabilitation Counselor	1660	1710	1761	1814	1882	1955	1950 2013
Aide I	1800	1854	1910	1967	2049	2124	11.10 11.45
Rehabilitation Counselor Aide II	2062	2124	2188	2254	2350	2449	1735 1782
Senior Ranger	1724	1776	1829	1884	1966	2037	2170 2240
Site Technician I	1885	1942	2000	2060	2148	2228	2204 2285
Site Technician II							2285 2367

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

Dental Assistant	1546	1592	1640	1689	1747	1809	Social Service Community Planner
Dental Hygienist	1885	1942	2000	2060	2148	2228	State Police Evidence
Electroencephalograph Technician	1599	1647	1696	1747	1814	1879	Technician I
Environmental Equipment Operator I	1885	1942	2000	2060	2148	2228	State Police Evidence
Environmental Equipment Operator II	2062	2124	2188	2254	2350	2449	Technician II
Environmental Protection Technician I	1724	1776	1829	1884	1966	2037	Statistical Research Technician
Environmental Protection Technician II	1724	1776	1829	1884	1966	2037	Veterans Service Officer
Hearing & Speech Technician I	1495	1540	1586	1634	1689	1744	Vocational Instructor
Hearing & Speech Technician II	1660	1710	1761	1814	1882	1955	STEPS (cont.)
Historic Site Interpreter	1660	1710	1761	1814	1882	1955	4 5 6 7
Historic Site Lead I	1967	2026	2087	2150	2240	2336	1870 2189
Historic Site Lead II	2062	2124	2188	2254	2350	2449	2115 2268
Housekeeper II	1399	1441	1484	1529	1578	1628	2321 2405
Inhalation Therapist	1599	1647	1696	1747	1814	1879	2431 2522
Intermittent Unemployment Insurance Technician	9.20	9.48	9.76	10.06	10.39	10.73	2559 2656
Laboratory Assistant	1399	1441	1484	1529	1582	1632	2619 2708
Laboratory Associate I	1724	1776	1829	1884	1966	2037	2619 2708
Laboratory Associate II	1885	1942	2000	2060	2148	2228	2619 2708
Legal Research Assistant*	1967</						

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

2025	2101	2173	2287
2211	2293	2371	2504
2321	2405	2497	2636
2211	2293	2371	2504
1950	2013	2082	2192
1804	1860	1920	2017
1950	2013	2082	2192
2211	2293	2371	2504
2321	2405	2497	2636
2431	2522	2619	2768
2025	2101	2173	2287
2211	2293	2371	2504
2559	2656	2759	2919
2115	2189	2268	2394
2321	2405	2497	2636
2211	2293	2371	2504
2321	2405	2497	2636
2431	2522	2619	2768
2211	2293	2371	2504
2321	2405	2497	2636
2321	2405	2497	2636

3/Entry level step in third year of contract.

(Source: Amended at 19 Ill. Reg. _____)

effective _____

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

Section 310, TABLE P Employees, IFPE)		RC-029 (Paraprofessional Investigator and Law Enforcement		Effective: July 1, 1994		Step S	
		1	2	3	4	5	6
AGRICULTURAL PRODUCTS PROMOTER		1942	2024	2100	2187	2267	2353
ANIMAL & ANIMAL PRODUCTS INVESTIGATOR		2124	2216	2309	2412	2504	2601
APIARY INSPECTOR		1441	1490	1538	1582	1635	1680
ARSON INVESTIGATOR I		2330	2438	2549	2655	2766	2877
ARSON INVESTIGATOR II		2576	2702	2827	2955	3077	3199
BREATH ALCOHOL ANALYSIS TECHNICIAN		2218	2321	2422	2521	2624	2722
COMMERCE COMMISSION POLICE OFF I		2330	2438	2549	2655	2766	2877
COMMERCE COMMISSION POLICE OFF II		2576	2702	2827	2955	3077	3199
COMMODITIES INSPECTOR		1776	1853	1920	1993	2063	2138
DANGEROUS DRUGS COMPLIANCE OFFICER I		2026	2112	2202	2291	2378	2469
DANGEROUS DRUGS COMPLIANCE OFFICER II		2218	2321	2422	2521	2624	2722
DANGEROUS DRUGS COMPLIANCE OFFICER III		2330	2438	2549	2655	2766	2877
DRUG COMPLIANCE INVESTIGATOR ENVIRONMENTAL PROTECTION LEGAL INVESTIGATOR I		3203	3370	3535	3701	3872	4035
ENVIRONMENTAL PROTECTION LEGAL INVESTIGATOR II		1776	1853	1920	1993	2063	2138
EXPLOSIVES INSPECTOR I		1942	2024	2100	2187	2267	2353
EXPLOSIVES INSPECTOR II		2124	2216	2309	2412	2504	2601
FINGERPRINT TECHNICIAN I		2444	2561	2680	2792	2906	3024
FINGERPRINT TECHNICIAN II		1647	1710	1771	1838	1897	1962
FINGERPRINT TECHNICIAN III		1776	1853	1920	1993	2063	2138
FIRE PREVENTION INSPECTOR I		1942	2024	2100	2187	2267	2353
FIRE PREVENTION INSPECTOR II		2218	2321	2422	2521	2624	2722
GUARD I		2576	2702	2827	2955	3077	3199
GUARD II		1490	1540	1591	1642	1690	1740
LICENSING ASSISTANT		1854	1931	2002	2084	2161	2235
LICENSING INVESTIGATOR I		1592	1647	1705	1763	1820	1881
LICENSING INVESTIGATOR II		1854	1931	2002	2084	2161	2235
LICENSING INVESTIGATOR III		2124	2216	2309	2412	2504	2601
LICENSING INVESTIGATOR IV		2218	2321	2422	2521	2624	2722
LIQUOR CONTROL SPECIAL AGENT I		2444	2561	2680	2792	2906	3024
MOTORIST ASSISTANCE SPECIALIST		2026	2112	2202	2291	2378	2469
PLANT & PESTICIDE SPECIALIST I		1592	1647	1705	1763	1820	1881
PLANT & PESTICIDE SPECIALIST II		2218	2321	2422	2521	2624	2722
PLUMBING INSPECTOR		2444	2561	2680	2792	2906	3024
POLICE OFFICER I		2576	2702	2827	2955	3077	3199
POLICE OFFICER II		2330	2438	2549	2655	2766	2877
		2576	2702	2827	2955	3077	3199

THE JOURNAL OF CLIMATE

גָּדוֹלָה מִזְמָרָה וְאֶלְעָזָר

NOTICE OF PROPOSED AMENDMENTS

POLICE OFFICER III		Polygraph Examiner I		Polygraph Examiner II		Polygraph Examiner III		Products & Standards Inspector		Security Officer		Security Officer Sergeant		Seed Analyst I		Seed Analyst II		Site Security Officer		Truck Weighting Inspector		Vehicle Emissions Compliance Inspector		Vehicle Testing Compliance Officer		Virtual Records Quality Control Inspector		Warehouse Claims Specialist		Warehouse Examiner I		Warehouse Examiner II		Warehouse Examiner III			
2870	3014	3155	3305	3447	3589	3809	3809	3199	3389	3077	3199	3389	3389	3199	3389	3077	3199	3389	3389	3199	3389	3077	3199	3389	3389	3199	3389	3077	3199	3389	3389	3199	3389				
2576	2702	2827	2955	3050	3147	3244	3244	3305	3447	3589	3809	3809	3809	3199	3389	3077	3199	3389	3389	3199	3389	3077	3199	3389	3389	3199	3389	3077	3199	3389	3389	3199	3389				
2870	3014	3155	3305	3447	3589	3809	3809	3199	3389	3077	3199	3389	3389	3199	3389	3077	3199	3389	3389	3199	3389	3077	3199	3389	3389	3199	3389	3077	3199	3389	3389	3199	3389				
3203	3370	3535	3701	3872	4035	4285	4285	3701	3872	4035	4285	4285	4285	3701	3872	4035	4285	4285	4285	3701	3872	4035	4285	4285	4285	3701	3872	4035	4285	4285	4285	3701	3872	4035	4285	4285	4285
1942	2024	2100	2187	2267	2353	2484	2484	2100	2187	2267	2353	2484	2484	2100	2187	2267	2353	2484	2484	2100	2187	2267	2353	2484	2484	2100	2187	2267	2353	2484	2484	2100	2187	2267	2353	2484	2484
1942	2024	2100	2187	2267	2353	2484	2484	2100	2187	2267	2353	2484	2484	2100	2187	2267	2353	2484	2484	2100	2187	2267	2353	2484	2484	2100	2187	2267	2353	2484	2484	2100	2187	2267	2353	2484	2484
2026	2112	2202	2291	2378	2469	2609	2609	2202	2378	2469	2609	2609	2609	2202	2378	2469	2609	2609	2609	2202	2378	2469	2609	2609	2609	2202	2378	2469	2609	2609	2609	2202	2378	2469	2609	2609	2609
1854	1931	2002	2084	2161	2235	2360	2360	2002	2084	2161	2235	2360	2360	2002	2084	2161	2235	2360	2360	2002	2084	2161	2235	2360	2360	2002	2084	2161	2235	2360	2360	2002	2084	2161	2235	2360	2360
1942	2024	2100	2187	2267	2353	2484	2484	2100	2187	2267	2353	2484	2484	2100	2187	2267	2353	2484	2484	2100	2187	2267	2353	2484	2484	2100	2187	2267	2353	2484	2484	2100	2187	2267	2353	2484	2484
1647	1710	1771	1838	1897	1962	2066	2066	1710	1771	1838	1897	1962	2066	2066	1710	1771	1838	1897	1962	2066	2066	1710	1771	1838	1897	1962	2066	2066	1710	1771	1838	1897	1962	2066			
1710	1774	1843	1909	1981	2049	2155	2155	1774	1843	1909	1981	2049	2155	2155	1774	1843	1909	1981	2049	2155	2155	1774	1843	1909	1981	2049	2155	2155	1774	1843	1909	1981	2049	2155			
1942	2024	2100	2187	2267	2353	2484	2484	2100	2187	2267	2353	2484	2484	2100	2187	2267	2353	2484	2484	2100	2187	2267	2353	2484	2484	2100	2187	2267	2353	2484	2484	2100	2187	2267	2353	2484	2484
2218	2321	2422	2521	2624	2722	2884	2884	2321	2422	2521	2624	2722	2884	2884	2321	2422	2521	2624	2722	2884	2884	2321	2422	2521	2624	2722	2884	2884	2321	2422	2521	2624	2722	2884			
1942	2024	2100	2187	2267	2353	2484	2484	2100	2187	2267	2353	2484	2484	2100	2187	2267	2353	2484	2484	2100	2187	2267	2353	2484	2484	2100	2187	2267	2353	2484	2484	2100	2187	2267	2353	2484	2484
2716	2854	2988	3126	3258	3395	3600	3600	2854	2988	3126	3258	3395	3600	3600	2854	2988	3126	3258	3395	3600	3600	2854	2988	3126	3258	3395	3600	3600	2854	2988	3126	3258	3395	3600			
1942	2024	2100	2187	2267	2353	2484	2484	2024	2100	2187	2267	2353	2484	2484	2024	2100	2187	2267	2353	2484	2484	2024	2100	2187	2267	2353	2484	2484	2024	2100	2187	2267	2353	2484			
2218	2321	2422	2521	2624	2722	2884	2884	2321	2422	2521	2624	2722	2884	2884	2321	2422	2521	2624	2722	2884	2884	2321	2422	2521	2624	2722	2884	2884	2321	2422	2521	2624	2722	2884			
2444	2561	2680	2792	2906	3024	3255	3255	2561	2680	2792	2906	3024	3255	3255	2561	2680	2792	2906	3024	3255	3255	2561	2680	2792	2906	3024	3255	3255	2561	2680	2792	2906	3024	3255			

NOTE: Effective July 1, 1994, employees who have 15 years of service and have 3 or more years of creditable service on Step 7 in the same pay grade shall receive an additional \$25.00 monthly.

REFRACTIVE INDEXES 1005

FINGERPRINT TECHNICIAN
CRIME SCENE INSPECTOR

THE JOURNAL OF CLIMATE

NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

COMMODITIES INSPECTOR	1909	1978	2053	2125	2202	2324	2370
DANGEROUS DRUGS COMPLIANCE OFFICER I	2175	2268	2360	2449	2543	2687	2741
DANGEROUS DRUGS COMPLIANCE OFFICER II	2391	2495	2597	2703	2804	2971	3030
DANGEROUS DRUGS COMPLIANCE OFFICER III	2511	2625	2735	2849	2963	3138	3201
DRUG COMPLIANCE INVESTIGATOR	3471	3641	3812	3988	4156	4414	4502
ENVIRONMENTAL PROTECTION LEGAL INVESTIGATOR I	1909	1978	2053	2125	2202	2324	2370
ENVIRONMENTAL PROTECTION LEGAL INVESTIGATOR II	2085	2163	2253	2335	2424	2559	2610
EXPLOSIVES INSPECTOR I	2282	2378	2484	2579	2679	2834	2891
EXPLOSIVES INSPECTOR II	2638	2760	2876	2993	3115	3300	3360
FINGERPRINT TECHNICIAN	2085	2163	2253	2335	2424	2559	2610
FIRE PREVENTION INSPECTOR I	2391	2495	2597	2703	2804	2971	3030
FIRE PREVENTION INSPECTOR II	2783	2912	3044	3169	3295	3491	3561
GUARD I	1586	1639	1691	1741	1792	1881	1919
GUARD II	1761	1824	1893	1954	2021	2128	2171
GUARD III	1989	2062	2147	2226	2302	2431	2485
LICENSING ASSISTANT	1696	1756	1816	1875	1937	2041	2084
LICENSING INVESTIGATOR I	1989	2062	2147	2226	2302	2431	2485
LICENSING INVESTIGATOR II	2282	2378	2484	2579	2679	2834	2891
LICENSING INVESTIGATOR III	2391	2495	2597	2703	2804	2971	3030
LICENSING INVESTIGATOR IV	2638	2760	2876	2993	3115	3300	3360
LIQUOR CONTROL SPECIAL AGENT I	2175	2268	2360	2449	2543	2687	2741
MOTORIST ASSISTANCE SPECIALIST	1696	1756	1816	1875	1937	2041	2084
PLANT & PESTICIDE SPECIALIST I	2391	2495	2597	2703	2804	2971	3030
PLANT & PESTICIDE SPECIALIST II	2638	2760	2876	2993	3115	3300	3360
PLUMBING INSPECTOR	29140	3078	3220	3356	3497	3708	3784
POLICE OFFICER I	2511	2625	2735	2849	2963	3138	3201
POLICE OFFICER II	2783	2912	3044	3169	3295	3491	3561
POLICE OFFICER III	3104	3250	3404	3550	3697	3923	4001
POLYGRAPH EXAMINER I	2783	2912	3044	3169	3295	3491	3561
POLYGRAPH EXAMINER II	3104	3250	3404	3550	3697	3923	4001
POLYGRAPH EXAMINER III	3471	3641	3812	3988	4156	4414	4502
PRODUCTS & STANDARDS INSPECTOR	2085	2163	2253	2335	2424	2559	2610
SECURITY OFFICER	2085	2163	2253	2335	2424	2559	2610
SECURITY OFFICER SERGEANT	2175	2268	2360	2449	2543	2687	2741
SEED ANALYST I	1989	2062	2147	2226	2302	2431	2485
SEED ANALYST II	2085	2163	2253	2335	2424	2559	2610
SITE SECURITY OFFICER	1761	1824	1893	1954	2021	2128	2171
TRUCK WEIGHING INSPECTOR	1909	1978	2053	2125	2202	2324	2370
VEHICLE EMISSIONS COMPLIANCE INSPECTOR	2085	2163	2253	2335	2424	2559	2610
VEHICLE TESTING COMPLIANCE OFFICER	2391	2495	2597	2703	2804	2971	3030
VEHICLE RECORDS QUALITY CONTROL INSPECTOR	2085	2163	2253	2335	2424	2559	2610

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

INSPECTOR	WAREHOUSE CLAIMS SPECIALIST	2940	3078	3220	3356	3497	3708	3782
	WAREHOUSE EXAMINER I	2055	2163	2253	2335	2424	2559	2610
	WAREHOUSE EXAMINER II	2391	2495	2597	2703	2804	2971	3030
	WAREHOUSE EXAMINER III	2638	2760	2876	2993	3115	3300	3366
	WELL INSPECTOR I	2282	2378	2484	2579	2679	2834	2891
	WELL INSPECTOR II	2638	2760	2876	2993	3115	3300	3366
NOTE: Effective July 1, 1995, the Step 7 Longevity clause is terminated for duration of the contract.								
	Effective: July 1, 1996							
					S T E P S			
			1	2	3	4	5	6
	AGRICULTURAL PRODUCTS PROMOTER	2240	2336	2431	2522	2619	2768	2823
	ANIMAL & ANIMAL PRODUCTS INVESTIGATOR	2350	2449	2559	2656	2759	2919	2978
	APIARY INSPECTOR	1581	1632	1678	1735	1782	1874	1911
	ARSON INVESTIGATOR I	2586	2704	2817	2934	3052	3232	3297
	ARSON INVESTIGATOR II	2886	2999	3135	3264	3394	3596	3668
	BREATH ALCOHOL ANALYSIS TECHNICIAN	2443	2570	2675	2784	2888	3060	3121
	COMMERCE COMMISSION POLICE OFF. I	2704	2817	2934	3052	3232	3297	3363
	COMMERCE COMMISSION POLICE OFF. II	2993	3135	3264	3394	3596	3668	3741
	COMMODITIES INSPECTOR	1966	2037	2115	2189	2268	2394	2441
	DANGEROUS DRUGS COMPLIANCE OFFICER I	2240	2336	2431	2522	2619	2768	2823
	DANGEROUS DRUGS COMPLIANCE OFFICER II	2463	2570	2675	2784	2888	3060	3121
	DANGEROUS DRUGS COMPLIANCE OFFICER III	2586	2704	2817	2934	3052	3232	3297
	DRUG COMPLIANCE INVESTIGATOR	3575	3750	3926	4108	4281	4546	4637
	ENVIRONMENTAL PROTECTION LEGAL INVESTIGATOR I	1966	2037	2115	2189	2268	2394	2441
	ENVIRONMENTAL PROTECTION LEGAL INVESTIGATOR II	2148	2228	2321	2405	2497	2636	2688
	EXPLOSIVES INSPECTOR I	2350	2449	2559	2656	2759	2919	2978
	EXPLOSIVES INSPECTOR II	2777	2843	2962	3083	3208	3399	3467
	FINGERPRINT TECHNICIAN	2148	2228	2321	2405	2497	2636	2688
	FIRE PREVENTION INSPECTOR I	2463	2570	2675	2784	2888	3060	3121
	FIRE PREVENTION INSPECTOR II	2866	2999	3135	3264	3394	3596	3668
	GUARD I	1634	1688	1742	1793	1846	1937	1977
	GUARD II	1814	1879	1950	2013	2082	2192	2236
	GUARD III	2049	2124	2211	2293	2371	2504	2554
	LICENSING ASSISTANT	1747	1809	1870	1931	1995	2102	2144
	LICENSING INVESTIGATOR I	2049	2124	2211	2293	2371	2504	2554
	LICENSING INVESTIGATOR II	2350	2449	2559	2656	2759	2919	2978
	LICENSING INVESTIGATOR III	2463	2570	2675	2784	2888	3060	3121

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

3717 3813 3062

LICENSING INVESTIGATOR IV	27117	2843	2962	3083	3208	3399	3467
LIQUOR CONTROL SPECIAL AGENT I	2240	2336	2431	2522	2619	2768	2823
MOTORIST ASSISTANCE SPECIALIST	1747	1809	1870	1931	1995	2102	2144
PLANT & PESTICIDE SPECIALIST I	2463	2570	2675	2784	2888	3060	3121
PLUMBING INSPECTOR	27117	2843	2962	3083	3208	3399	3467
POLICE OFFICER I	3028	3170	3317	3457	3602	3819	3895
POLICE OFFICER II	2704	2817	2934	3052	3232	3297	3363
POLICE OFFICER III	2999	3135	3264	3394	3596	3668	3741
FO - be - determined		3197	3348	3506	3657	3808	4041
FO - be - determined		2886	2999	3135	3264	3394	3596
POLYGRAPH EXAMINER I	3197	3348	3506	3657	3808	4041	4121
POLYGRAPH EXAMINER II	3575	3750	3926	4108	4281	4546	4637
POLYGRAPH EXAMINER III	2148	2228	2321	2405	2497	2636	2688
PRODUCTS & STANDARDS INSPECTOR	2148	2228	2321	2405	2497	2636	2688
SECURITY OFFICER	2240	2336	2431	2522	2619	2768	2823
SECURITY OFFICER SERGEANT	2049	2124	2211	2293	2371	2504	2554
SEED ANALYST I	2148	2228	2321	2405	2497	2636	2688
SEED ANALYST II	1814	1879	1950	2013	2082	2192	2236
SITE SECURITY OFFICER	1966	2037	2115	2189	2268	2394	2441
TRUCK WEIGHING INSPECTOR	2148	2228	2321	2405	2497	2636	2688
VEHICLE EMISSIONS COMPLIANCE INSPECTOR	2463	2570	2675	2784	2888	3060	3121
VEHICLE TESTING COMPLIANCE OFFICER	2148	2228	2321	2405	2497	2636	2688
VITAL RECORDS QUALITY CONTROL INSPECTOR	3028	3170	3317	3457	3602	3819	3895
WAREHOUSE CLAIMS SPECIALIST	2148	2228	2321	2405	2497	2636	2688
WAREHOUSE EXAMINER I	2463	2570	2675	2784	2888	3060	3121
WAREHOUSE EXAMINER II	27117	2843	2962	3083	3208	3399	3467
WELL INSPECTOR I	2359	2449	2559	2656	2759	2919	2978
WELL INSPECTOR II	27117	2843	2962	3083	3208	3399	3467

(Source: Amended at 19 Ill. Reg. _____ effective _____)

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED RULES

- 1) Heading of the Part: Appeal of Foster Family Home License Denials by Relative Caregivers
- 2) Code Citation: 89 Ill. Adm. Code 338
- 3) Section Numbers: Proposed Action:
 - New 338.10
 - New 338.20
 - New 338.30
 - New 338.40
 - New 338.50
 - New 338.60
 - New 338.70
 - New 338.80
 - New 338.90
 - New 338.100
 - New 338.110
 - New 338.120
 - New 338.130
 - New 338.140
 - New 338.150
 - New 338.160
 - New 338.170
 - New 338.180
- 4) Statutory Authority: Section 5 of the Children and Family Services Act [20 ILCS 505/5] (see Public Act 89-21).

- 5) A Complete Description of the Subjects and Issues Involved: These rules describe the appeal process for relatives who provide care for related children who are the legal responsibility of the Department of Children and Family Services and who are denied licensure as a foster family home under the provisions of 89 Ill. Adm. Code 402. Licensing Standards for Foster Family Homes. These rules also provide a temporary appeal process for those relative caregivers who received notice prior to July 1, 1995 that their foster care payments were to be reduced to the Illinois Department of Public Aid child only standard of need amount, but the relative asserts that the home is already licensed or that the home was approved and an application for licensure as a foster family home was made prior to July 1, 1995 and had not yet been denied.
- 6) Will these proposed rules replace an emergency rule currently in effect? Yes. Emergency rules published at 19 Ill. Reg. 12305.
- 7) Does this rulemaking contain an automatic repeal date? Yes
- 8) Do these proposed rules contain incorporations by reference? No

9) Are there any proposed amendments to this part pending? No

10) Statement of Statewide Policy Objectives: These rules do not create or expand a State mandate as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3].

11) Time, place, and manner in which interested persons may comment on this proposed rulemaking:

Comments on this proposed rulemaking may be submitted in writing for a period of 45 days following publication of this notice. Comments should be submitted to:

Jacqueline Nottingham
Chief, Office of Rules and Procedures
Department of Children and Family Services
106 East Monroe, Station # 222
Springfield, Illinois 62701-1498

Telephone: (217) 524-1983
FAX: (217) 524-3715

The Department will consider fully all written comments on this proposed rulemaking submitted during the 45-day comment period. Comments submitted by small businesses should be identified as such.

- 12) Initial Regulatory Flexibility Analysis: These rules do not affect small businesses.
- 13) Regulatory Agenda on which this rulemaking was summarized. This rule was not included on either of the 2 most recent agendas because: Public Act 89-21, which was enacted June 8, 1995, specifically amended the Illinois Administrative Procedure Act and found that the State's current financial situation constitutes an emergency. Public Act 89-21 specifically allowed State agencies to use emergency rulemaking to implement the purposes of the Act. These proposed amendments continue the emergency rulemaking to implement some of the budgetary control measures enacted in Public Act 89-21.

The full text of the proposed rules begin on the next page:

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED RULES

TITLE 89: SOCIAL SERVICES

CHAPTER III: DEPARTMENT OF CHILDREN AND FAMILY SERVICES
SUBCHAPTER b: PROGRAM AND TECHNICAL SUPPORT

PART 338

APPEAL OF FOSTER FAMILY HOME LICENSE DENIALS BY RELATIVE CAREGIVERS

Section	Purpose
338.10	Purpose
338.20	Definitions
338.30	Who May Appeal
338.40	What May BeAppealed
338.50	What May Not BeAppealed
338.60	Concurrent Jurisdiction
338.70	Notices of Department Decisions
338.80	The Appeal Process
338.90	Internal Review
338.100	The Administrative Hearing
338.110	Rights and Responsibilities in Administrative Hearings
338.120	Rules of Evidence
338.130	The Administrative Law Judge
338.140	Combined or Separate Hearings
338.150	Final Administrative Decision
338.160	Records of Administrative Hearings
338.170	Severability of This Part
338.180	Transition Provisions
AUTHORITY:	Implementing and authorized by Section 5 of the Children and Family Services Act [20 ILCS 505/5].

SOURCE: Emergency rules adopted at 19 Ill. Reg. 12305, effective August 11, 1995, for a maximum of 150 days; adopted at 19 Ill. Reg. _____, effective _____.

Section 338.10 Purpose

The purpose of these rules is to explain the internal review and administrative hearing process for relative caregivers providing full-time care to children for whom the Department of Children and Family Services is legally responsible who apply for and are denied a foster family home license. This includes license denials based on background checks, including child abuse/neglect and criminal history information.

Section 338.20 Definitions

"Administrative hearing" in the context of this part means a formal review of the Department's decision to deny a foster family home license to the relative who is serving as caregiver of children for

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED RULES

whom the Department is legally responsible.

"Administrative law judge" means the person who is appointed by the Director of the Department and is responsible for conducting the fair hearing.

"Administrator of the Administrative Hearings Unit" means the person who is responsible for coordinating the administrative hearing appeal process.

"Appeal file" means the correspondence, statements, reports, investigative files, documents and other written material submitted to the Administrative Hearings Unit and the appellant after the commencement of the appeal. It does not include any documents or other material which may be in the custody of any other unit of DCFS, unless the document or material has been submitted to both the appellant and the Administrative Hearings Unit.

"Appellant" means the person who requests a review or administrative hearing or in whose behalf a review and administrative hearing is requested.

"Children for whom the Department is legally responsible" means children for whom the Department has temporary protective custody or guardianship via court order, or children whose parent(s) has signed an adoptive surrender or voluntary placement agreement with the Department.

"Date of action" means the date on which any Department action becomes effective.

"Date of appeal" is the postmark date on the appellant's request to appeal the Department's decision to deny the application for a foster family home license.

"Date of notice" means the date of the written notice of the Department's decision.

"Department's representative" means the person who is responsible for presenting the Department's case.

"Final administrative decision" means the Department's final decision, order or determination on an appealed issue rendered by the Director in a particular case, which affects the legal rights, duties or privileges of participants and which may be further appealed to the circuit court under the Administrative Review Law.

"Full-time care" means the child is a resident of the household,

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED RULES

whether on a temporary, emergency, or permanent basis, and is receiving family care usually provided by a parent or guardian.

"License" means a document issued by the Department of Children and Family Services which authorizes a relative caregiver to operate a Foster family home in accordance with 89 Ill. Adm. Code 402, Licensing Standards for Foster Family Homes, and the provisions of the Child Care Act of 1969 and rules promulgated thereunder.

"Party" to any administrative hearing or other proceeding in the Department is the Department or the appellant as the case may be.

"Relative" for purposes of placement of children for whom the Department is legally responsible, means any person, 21 years of age or over, other than the parent, who:

- is currently related to the child in any of the following ways by blood or adoption: grandparent, sibling, great-grandparent, uncle, aunt, nephew, niece, first cousin, great-uncle, or great-aunt, or
- is the spouse of such a relative, or
- is the child's step-father, step-mother, or adult step-brother or step-sister.

Relative also includes a person related in any of the foregoing ways to a sibling of a child, even though the person is not related to the child when the child and its sibling are placed together with that person. [20 ILCS 505/7(b)]

Section 338.30 Who May Appeal

- a) Relative caregivers who have full-time care and custody of a related child for whom the Department is legally responsible have the right to appeal the denial of an application for a Foster Family home license.
- b) If an appellant has an authorized representative or an individual legally acting on the appellant's behalf, that representative or individual may exercise the rights of the appellant in the appeal process. These rights include the right to:
 - 1) review and copy record material;
 - 2) receive Department notices;
 - 3) speak in the administrative hearing process; and
 - 4) take any other actions permitted an appellant during the appeal process.

Section 338.40 What May BeAppealed

- a) To begin the appeal process the relative caregiver shall request in writing that the Department review its decision to deny the application for license as a foster family home. The request for a hearing must be postmarked within 15 calendar days after the date of notice of the Department's decision to deny the appellant's application for a foster home license. The request must be submitted

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED RULES

Relative caregivers providing full-time care to related children who have applied for a foster home license and been denied licensure may appeal the denial of a foster family home license.

Section 338.50 What May Not BeAppealed

The following circumstances are not appropriate for the appeal process:

- a) when the Department has already made a final administrative decision on the issue as a result of a previous appeal;
- b) when a court has made a judicial decision on the issue being appealed; OR
- c) when the appellant has not met the time frame for requesting an appeal.

Section 338.60 Concurrent Jurisdiction

If an appeal may be filed under either 89 Ill. Adm. Code 337, Service Appeal Process, or under this Part, the appeal shall be heard under this Part.

Section 338.70 Notices of Department Decisions

- a) Relative caregivers who apply for a foster family home license have a right to receive a written notice informing them:
 - 1) whether their application for licensure is approved or denied;
 - 2) if denied, the reason for the denial;
 - 3) of their right to appeal a denial of their application; and
 - 4) how to file an appeal.
- b) All written notices used in this Part shall be in the appellant's primary language.
- c) The following notices shall be hand delivered with a certificate of delivery or sent by certified mail, return receipt requested, to "the addressee only":
 - 1) the final administrative decision that no genuine issue of material fact exist;
 - 2) the final administrative decision of an administrative hearing;
 - 3) the first notice of hearing.
- d) All other notices referenced in this Part shall be sent by regular mail.

Section 338.80 The Appeal Process

- a) To begin the appeal process the relative caregiver shall request in writing that the Department review its decision to deny the application for license as a foster family home. The request for a hearing must be postmarked within 15 calendar days after the date of notice of the Department's decision to deny the appellant's application for a foster home license. The request must be submitted

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED RULES

to the Department staff person designated in the written notice.

- b) If the appellant is unable to request an appeal in writing, the Department or provider agency shall help the appellant put the request in writing upon request.

Section 338.90 Internal Review

a) After the Administrative Hearings Unit has received the appellant's request for an appeal, the Administrator of the Administrative Hearings Unit shall notify the Department that the appellant has appealed and the Department shall send to the Administrator a copy of the notice of denial of the application for a foster family home license. The notice of denial shall be prima facie evidence that the Department had a basis for refusing to license the home.

b) The Administrator shall ask both the Department and the appellant to submit any documents, records, statements, or other materials pertinent to the Department's denial of the application for licensure to create an appeal file. The Administrator shall further advise the Department and the appellant of the intent to examine the appeal file, including all materials submitted for the appeal file, to determine whether a genuine issue of material fact exists. Within fifteen days after the date of the Administrator's request for materials, both the Department representative and the appellant shall submit to the Administrative Hearings Unit and to the opposing party any and all documents, records, statements, materials, or evidence to establish that the Department's decision to deny the license was either correct or incorrect. Fifteen days after the Administrator's request for materials, the Administrator shall then proceed to complete the internal review based on the materials received.

c) The Administrator shall examine the entire appeal file, including all materials submitted by both parties, and shall determine if a genuine issue of material fact exists.

d) If the Administrator determines that no genuine issue of material fact exists, the Administrator shall dismiss the appeal. The letter dismissing the appeal shall be the final administrative decision of the Department.

e) If the Administrator determines that there is no genuine issue of material fact as to one or more of the major issues in the case but that substantial controversy exists with respect to other major issues, the Administrator shall specify in writing the major issue(s) about which there is no dispute. The Administrator shall direct that a hearing be held only on the contested issues. At the hearing, facts specified by the Administrator as without dispute shall be deemed established and the hearing conducted accordingly. The Administrator shall notify the parties of the matters which may be appealed.

f) If the Administrator determines that all the issues are contested, the Administrator shall direct that a hearing be held and notify the parties of the decision.

Section 338.100 The Administrative Hearing

Section 338.100 The Administrative Hearing

a) The Administrator of the Administrative Hearings Unit may grant a request for a hearing only when:

- 1) the original written request for appeal was postmarked within 15 calendar days after the date of notice to the appellant that the Department has denied the appellant's application for a foster family home license; and
- 2) the issue is within the jurisdiction of the Administrative Hearings Unit as set forth in Sections 338.30 and 338.40 of this Part.

b) The Administrator of the Administrative Hearings Unit may dismiss a request for an administrative hearing for the following reasons only:

- 1) the Administrator has determined that no genuine issue of material fact exists pursuant to Section 338.90;
- 2) the appeal has been withdrawn in writing;
- 3) the appeal has been abandoned. Abandonment shall be deemed to have occurred if the appellant, the appellant's authorized representative, or an individual legally authorized to act on behalf of the appellant fails to appear at the hearing, and the appellant does not have an adequate cause for failing to appear. Adequate cause for failing to appear at an administrative hearing may include, but is not limited to:

A) death in the family of the appellant or in the family of the appellant's representative;

B) serious illness of the appellant or the appellant's representative or serious illness in either person's immediate family;

C) transportation difficulties that make it impossible for the appellant or representative to appear at the hearing;

D) failure of the Department to give notice of the hearing to the appellant or representative at the last known address available to the Department. However, it is the appellant's responsibility to keep the Department updated on any change of address;

4) the issue is not within the jurisdiction of the Administrative Hearings Unit as set forth in Sections 338.30 and 338.40 of this Part;

5) the request for the appeal was not postmarked within 15 calendar days after the date of the notice that the application for license was denied; or

6) the appellant failed to notify the Administrator of the Administrative Hearings Unit of a change of address, and a notice of the administrative hearing cannot be delivered.

c) If the appeal is not dismissed, the appeal shall be scheduled for hearing.

d) The Department shall provide written notice of the decision to grant or deny the request for an administrative hearing within 20 calendar

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED RULES

days after receipt of the request for an administrative hearing. If the Administrator of the Administrative Hearings Unit finds that the issue is not appealable under this Part but can be appropriately heard through another appeal process, in accordance with 89 Ill. Adm. Code 435, Administrative Appeals and Hearings, the Department shall forward the appeal to the proper hearing authority and notify the appellant of this action.

- e) The Administrator of the Administrative Hearings Unit shall:
 - 1) schedule the hearing at a date within a reasonable time period after the Administrator determines a genuine issue of material fact exists;
 - 2) ensure that the administrative hearing is scheduled at a time and place reasonably convenient for all parties. If the parties cannot agree to a reasonably convenient time and place, the Administrator shall make this determination and proceed to schedule the hearing; and
 - 3) provide a written notice to the appellant at least 15 calendar days before the scheduled hearing, which shall contain the following information:
 - A) the date, time and location of the hearing;
 - B) a statement that the failure of the appellant or the appellant's representative to appear at the hearing without adequate cause may be deemed an abandonment of the request, thus constituting a waiver by the appellant of the right to a hearing; and
 - C) a statement of the parties' rights during the appeal process.

Section 338.110 Rights and Responsibilities in Administrative Hearings

- a) An appellant may bring a representative, including legal counsel, to the hearing. Expenses of a representative or of an appellant's witnesses shall be paid by the appellant.
- b) An appellant may request the Department employee who had direct involvement in the case or other persons who may have information relevant to the issues in dispute to attend the hearing by asking the Administrator of the Administrative Hearings Unit to issue appropriate subpoenas. Witness fees and travel expenses for persons other than Department employees are the responsibility of the party requesting the subpoena.
- c) Any motions from the appellant or the Department shall be filed with the administrative law judge at least ten calendar days before the hearing. Copies shall be sent to the Department's representative and the appellant.
- d) At the appellant's request, the Department shall provide an interpreter at no cost to the appellant if English is not the appellant's primary language or a sign interpreter if the appellant is hearing impaired.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED RULES

During the administrative hearing, the appellant and the Department have the right to:

- 1) present and question witnesses;
- 2) present any information relevant to the issues;
- 3) question or disprove any information, including an opportunity to question opposing witnesses; and
- 4) dispose of any disputed issue by mutually agreeing to a resolution any time prior to the conclusion of the administrative hearing.

In an administrative hearing, the appellant bears the burden of proving, by a preponderance of the evidence, that the Department was in error when it denied the appellant's application for a Foster Family home license.

Section 338.120 Rules of Evidence

- a) All evidence helpful in determining these questions, including oral and written reports, may be relied upon to the extent of its probative value, even though not competent under the common law or statutory rules of evidence.
- b) All Department licensing records and investigatory files shall be admissible to prove the matters contained within the record or investigatory file.

Section 338.130 The Administrative Law Judge

- a) Appointment of the Administrative Law Judge
 - The Administrator of the Administrative Hearings Unit shall select and the Director shall appoint a trained, impartial administrative law judge from the available pool to conduct the appeal hearing. The administrative law judge shall:
 - 1) possess knowledge and information acquired through training and/or experience relevant to the field of child and family welfare law, including familiarity with Department rules, procedures and functions;
 - 2) not have been involved in the decision to take the action being appealed or have rendered legal advice to the decision maker on the issue; and
 - 3) not have a personal or professional interest that interferes with exercising objectivity or have any bias against the parties or issues appealed. An adverse ruling, in and of itself, shall not constitute bias or conflict of interest.
 - b) Functions of the Administrative Law Judge
 - The administrative law judge shall have all authority allowed under the Illinois Administrative Procedure Act [5 ILCS 100]. This authority shall include, but is not limited to, the Following:
 - 1) conduct a fair, impartial and formal hearing in which the strict rules of evidence do not apply;

DEPARTMENT OF CHILDREN AND FAMILY SERVICES
DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED RULES

- 2) provide for the recording of the hearing;
- 3) inform participants of their individual rights and their responsibilities;
- 4) conduct preliminary and pre-hearing telephone conferences, if necessary, between the parties and/or their attorneys to provide information about the procedural aspects of the hearing, narrow the issues and discuss possible stipulations and contested points of law, in order to expedite the actual hearing;
- 5) take necessary steps to develop a full and fair record which contains all relevant facts;
- 6) administer an oath or an affirmation to all witnesses;
- 7) quash or modify subpoenas for good cause, including, but not limited to, relevance, scope, materiality and emotional harm or trauma to the subpoenaed witness;
- 8) preserve all documents and evidence for the record;
- 9) rule upon evidentiary issues and contested issues of law at the hearing or take matters under advisement pending issuance of the written opinion and recommendation;
- 10) order the removal of any person from the hearing room who is creating a disturbance, whether by physical actions, profanity or otherwise engaging in conduct which disrupts the hearing;
- 11) identify the issues, consider all relevant facts and receive or request any additional information necessary to decide the matter in dispute, including but not limited to the submission of briefs, memoranda of law, affidavits or post hearing briefs; and
- 12) present a written opinion and recommendation to the Director within 30 calendar days after the record of the administrative hearing is completed or transcript is received. This report shall include a recommended decision on whether the Department's decision to deny the appellant's application for a foster home license was correct or incorrect based on information considered at the hearing contained in the administrative record. The opinion shall contain findings of fact, conclusions of law and a recommendation.

NOTICE OF PROPOSED RULES

Section 338.150 Final Administrative Decision

- a) Making the Final Administrative Decision
 - The Director of the Department shall receive the recommended decision from the administrative law judge and shall agree, disagree, or modify the recommended decision based upon the preponderance of the evidence. The Director's decision is the final administrative decision of the Department. If the decision requires corrective action by the Department, the Director shall appoint a Department staff person who shall be responsible for assuring compliance with the decision.
 - Notice of the Availability of Judicial Review
 - The Department shall include a notice to appellants as part of the final administrative decision. This notice shall advise the appellants that, under the provisions of the Administrative Review Law [735 ILCS 5/Art. III], they may seek within the statutory time frame judicial review of the Department's decision if it is unfavorable to them.
 - Who Receives Copies of the Final Administrative Decision
 - The appellant or authorized representative, the Department's Licensing Unit, the Department's representative, the administrative law judge (except for notices of internal review decisions), and the Administrator of the Administrative Hearings Unit shall receive a copy of the final administrative decision.
 - c) Who Receives Copies of the Final Administrative Decision
 - The appellant or authorized representative, the Department's Licensing Unit, the Department's representative, the administrative law judge (except for notices of internal review decisions), and the Administrator of the Administrative Hearings Unit shall receive a copy of the final administrative decision.

Section 338.160 Records of Administrative Hearings

The permanent record of the administrative hearing and the final administrative decision shall be maintained by the Administrator of the Administrative Hearings Unit. All hearing decisions shall be available for public inspection during regular business hours. However, confidential information shall be deleted in conformance with 89 Ill. Adm. Code 431, Confidentiality of Personal Information of Persons Served by the Department, and State and Federal laws and rules and regulations on confidentiality.

Section 338.170 Severability of This Part

If any Court of competent jurisdiction finds that any Section, clause, phrase, or provision of this Part is unconstitutional or invalid for any reason whatsoever, this finding shall not affect the validity of the remaining portions of this Part.

Section 338.180 Transition Provisions

- a) Definitions
 - "Approved under 89 Ill. Adm. Code 335, Relative Home Placement" means that a relative family home had been approved as meeting the standards of that Part prior to July 1, 1995.
- b) The Department, if required for the fair, efficient administration of the hearing or to prevent possible prejudice to the appellant, may sever any party or any issue from the combined hearing. The severed party or issue shall be heard separately.

Section 338.140 Combined or Separate Hearings

- a) When a common issue is raised, the Department may respond to requests for hearings from more than one appellant by conducting a single group hearing. The Department may also combine all issues raised by a single appellant in all pending appeals arising under this or any other Department rule in a single hearing. In all group hearings, the appeal system in this Part shall apply. Individuals shall be permitted to present their own cases separately.
- b) The Department, if required for the fair, efficient administration of the hearing or to prevent possible prejudice to the appellant, may sever any party or any issue from the combined hearing. The severed party or issue shall be heard separately.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED RULES

"Child only standard of need" means the assistance standard for cases in which no adult member is included, as established by the Illinois Department of Public Aid in 89 Ill. Adm. Code 111, Assistance Standards.

"Foster care payment" means the amount paid by the Department for a child's room, board, clothing, and personal allowance in a licensed foster family home.

"Timely application for licensure" means a relative caregiver whose home had been approved under 89 Ill. Adm. Code 335, Relative Home Placement, submitted an application for a foster family home license postmarked no later than June 30, 1995.

b) Relative Caregivers Not Approved Under 89 Ill. Adm. Code 335, Relative Home Placement

Relative caregivers whose payments for the care of related children were reduced to the child only standard of need effective July 1, 1995, because the Department determined the relative home was not a licensed foster family home and had not been approved under 89 Ill. Adm. Code 335, Relative Home Placement, may appeal the proposed reduction of these payments, as notified in a letter from the Department to the appellant on June 12, 1995. Requests for a hearing under this subsection must have been postmarked on or before July 31, 1995, as stated in the letter from the Department to the appellant dated June 12, 1995, and submitted to the Bureau of Administrative Hearings, 160 N. Lasalle Street, Sixth Floor, Chicago, Illinois 60601 in order for the request to be accepted. The basis of the appeal must be that the relative caregiver:

- 1) was licensed as of July 1, 1995, under the provisions of 89 Ill. Adm. Code 402, Licensing Standards for Foster Family Homes. If a request for a hearing submitted under this subsection (b)(1) was postmarked no later than June 30, 1995, foster care payments will be continued throughout the appeal process; or
- 2) had been approved under 89 Ill. Adm. Code 335, Relative Home Placement, and submitted an application for a foster family home license postmarked no later than June 30, 1995, which has not been denied. If a request for a hearing submitted under this subsection (b)(2) was postmarked no later than June 30, 1995, foster care payments will be continued throughout the appeal process, until a decision is made on the application for license, or until September 30, 1995, whichever occurs first.

c) Relative Caregivers Approved Under 89 Ill. Adm. Code 335, Relative Home Placement, Who Did Not Submit a Timely Application for Licensure

Relative caregivers whose payments for the care of related children will be reduced to the child only standard of need effective July 1, 1995, because the Department has determined that they were approved under 89 Ill. Adm. Code 335, Relative Home Placement, but who,

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED RULES

according to Department records, did not submit a timely application for a foster family home license, may appeal the proposed reduction of these payments as notified in a letter from the Department to the appellant on June 12, 1995. Requests for a hearing under this subsection must be postmarked on or before August 31, 1995, and submitted to the Bureau of Administrative Hearings, 160 N. LaSalle Street, Sixth Floor, Chicago, Illinois 60601 in order for the request for a hearing to be accepted. The basis of the appeal must be that the relative caregiver:

- 1) was licensed as of July 1, 1995, under the provisions of 89 Ill. Adm. Code 402. If a request for a hearing submitted under this subsection (c)(1) was postmarked no later than June 30, 1995, foster care payments will be continued throughout the appeal process; or
- 2) had been approved under 89 Ill. Adm. Code 335, Relative Home Placement, and submitted a timely application for a foster family home license which has not been denied. If a request for a hearing submitted under this subsection (c)(2) was postmarked within ten days after the date of notice of the intended reduction of payments, foster care payments will be continued throughout the appeal process, until a decision is made on the application for licensure, or until September 30, 1995, whichever occurs first.

d) Relative Caregivers Who Reside Out of State

Relative caregivers whose payments for the care of related children will be reduced to the child only standard of need because they reside outside the State of Illinois and, according to Department records, failed to submit proof postmarked no later than July 15, 1995, to the Interstate Compact Unit, 406 East Monroe Street, Springfield, Illinois 62701 as required by Section 359.4, Payments for Substitute Care Services (89 Ill. Adm. Code 359, Authorized Child Care Payments) may appeal the proposed reduction of these payments. Requests for a hearing under this subsection must be postmarked within thirty days after the date of notice of the intended reduction of payments and submitted to the Bureau of Administrative Hearings, 160 N. LaSalle Street, Sixth Floor, Chicago, Illinois 60601 in order for a request for a hearing to be accepted. The basis of the appeal must be that the relative caregiver submitted proof of licensure, certification, or approval, as required by 89 Ill. Adm. Code 359.4. If a request for a hearing submitted under this subsection (d) is postmarked within ten days after the date of notice of the intended reduction of payments, foster care payments will be continued throughout the appeal process.

e) Recoupment of Overpayments

If the Department continues the payment at the current level while the appeal is pending and the hearing upholds the Department's decision to reduce the payment, the Department shall fully recoup the amount of overpayments made. This may be achieved by reducing future payments made by the Department to the appellant or by other appropriate action against the appellant's income or resources, as provided in Section

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED RULES

402 of the Social Security Act (42 U.S.C.A. 602(a)(22)). When an overpayment results from willful misstatements made by the appellant to the Department, or from the willful withholding of relevant information by the appellant from the Department, the Department may recoup the overpayment from any available income and resources as provided in 45 CFR Section 233.20(12).

ILLINOIS REGISTER

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Uniform Medical Claim and Billing Forms
- 2) Code Citation: 50 Ill. Adm. Code 2017
- 3) Section Numbers:
- Proposed Action:

2017.20	Amended
2017.30	Amended
2017.40	Amended
2017.50	Amended
2017.60	Amended
2017.70	Amended

- 4) Statutory Authority: Implementing and authorized by Section 143.31 of the Illinois Insurance Code [215 ILCS 5/143.31].
- 5) A Complete Description of the Subjects and Issues Involved: Pursuant to P.A. 88-662, as of January 1, 1996, providers as defined in this Part, are required to use uniform claim and billing forms as defined in this Part.
- 6) Will this proposed amendment replace emergency rule currently in effect?
No
- 7) Does this amendment contain an automatic repeal date? No
- 8) Does this proposed amendment contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: These amendments will not necessitate that the Department establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to comment on this proposed rulemaking may submit written comments no later than 45 days after the publication of this Notice to:

Tim Cena, Deputy Counsel Department of Insurance James R. Thompson Center 100 W. Randolph Street Chicago, IL 60601-3251 (312) 814-2420	Mary Meyer Department of Insurance (or) 320 West Washington Springfield, IL 62767-0001 (217) 785-8220
---	--

- 12) Initial Regulatory Flexibility Analysis: The Department has determined that these amendments will not impact small businesses.

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

13) Regulatory Agenda on which this amendment was summarized: July 1995
 The full text of the proposed Amendment begins on the next page:

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

TITLE 50: INSURANCE
 CHAPTER I: DEPARTMENT OF INSURANCE
 SUBCHAPTER Z: ACCIDENT AND HEALTH INSURANCE

PART 2017
 UNIFORM MEDICAL CLAIM AND BILLING FORMS

Section	Purpose
2017.10	Applicability and Scope
2017.20	Definitions
2017.30	Requirements for Use of HCFA Form 1500
2017.40	Requirements for Use of UB92/HCFA Form 1450
2017.50	Requirements for Use of J510/J511/J512 Form
2017.60	General Provisions
2017.70	

AUTHORITY: Implementing and authorized by Section 143.31 of the Illinois Insurance Code [215 ILCS 5/143.31].

SOURCE: Adopted at 18 Ill. Reg. 12777, effective August 9, 1994; amended at 19 Ill. Reg. _____, effective January 1, 1996.

Section 2017.20 Applicability and Scope

- a) Except as otherwise specifically provided, the requirements of this Part apply to health plans, health care practitioners and institutional health care providers ~~issuers~~.
- b) A health plan ~~an-issuer~~ or provider of health care treatment shall not refuse to accept a claim or bill submitted on the uniform claim and billing forms defined in Section 2017.30 of this Part. ~~An-issuer however-may-accept-claims-and-bills-submitted-on-any-other-forms~~
- c) The adoption of uniform claim forms and uniform billing forms by the Director under this Part does not preclude a health plan ~~an-issuer hospital-medical-or-dental-service-corporation-or-other-organization~~ from obtaining any necessary additional information regarding a claim from the claimant, provider of health care or treatment, or certifier of coverage, as may be required.

(Source: Amended at 19 Ill. Reg. _____, effective January 1, 1996.)

Section 2017.30 Definitions

~~As-used-in-this-Part:~~

CDT Codes means the current dental terminology prescribed by the American Dental Association.

CPT Codes means the current procedural terminology published by the

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

American Medical Association.

HCFA means the Health Care Financing Administration of the U.S. Department of Health and Human Services.

HCFA Form 1500 means the current health insurance claim form published by HCFA, or its revision following the effective date of this Part, for use by health care practitioners.

HCPCS Codes means the HCFA's Common Procedure Coding System that is based upon the current American Medical Association's (AMA) Physician Current Procedural Terminology.

HCPCS Level 1 Codes means the AMA's current CPT codes with the exception of anesthesiology services.

HCPCS Level 2 Codes means the codes for physician and non-physician services that are not included in current CPT.

Health Care Practitioner means:

A chiropractor licensed under the Medical Practice Act of 1987 [225 ILCS 60] to treat human ailments without the use of drugs and without operative surgery.

A dentist licensed under the Illinois Dental Practice Act [225 ILCS 25].

A nurse licensed under the Illinois Nursing Act of 1987 [225 ILCS 65].

An occupational therapist licensed under the Illinois Occupational Therapy Practice Act [225 ILCS 75].

An optometrist licensed under the Illinois Optometric Practice Act of 1987 [225 ILCS 80].

A pharmacist licensed under the Pharmacy Practice Act of 1987 [225 ILCS 85].

A physical therapist licensed under the Illinois Physical Therapy Act [225 ILCS 90].

A physician licensed under the Medical Practice Act of 1987 [225 ILCS 60] to practice medicine in all of its branches.

A podiatrist licensed under the Podiatric Medical Practice Act of 1987 [225 ILCS 100].

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

A psychologist licensed under the Clinical Psychologist Licensing Act [225 ILCS 15].

A social worker licensed under the Clinical Social Work and Social Work Practice Act [225 ILCS 20].

A speech-language pathologist and/or audiologist licensed under the Illinois Speech-Language Pathology and Audiology Practice Act [225 ILCS 110].

Other Health Care Practitioners licensed by the Illinois Department of Professional Regulation.

A supplier of health care services not described herein, including but not limited to a physician assistant, nurses aide, or supplier of durable medical equipment.

ICD-CM Codes means the disease codes in the current International Classification of Diseases, Clinical modifications published by the U.S. Department of Health and Human Services.

Institutional Health Care Provider means:

Ambulatory Surgical Treatment Center licensed under the Ambulatory Surgical Treatment Center Act [210 ILCS 5].

Home Health Agency licensed under the Home Health Agency Licensing Act [210 ILCS 55].

Hospice licensed under the Hospice Program Licensing Act [210 ILCS 60].

Hospital licensed under the Hospital Licensing Act [210 ILCS 85].

Skilled Nursing and Intermediate Care Facility licensed under the Nursing Home Care Act [210 ILCS 45].

Trauma Center licensed under the Emergency Medical Services (EMS) Systems Act [210 ILCS 50].

Other Institutional Health Care Providers licensed by the Illinois Department of Public Health.

Health Plan ~~Issuer~~ means an insurance company, Fraternal benefit society, dental service plan, limited liability service organization, pharmaceutical service plan, vision service plan, voluntary health services plans ~~Health-care-service-plan~~, health maintenance organization, workers' compensation insurance, and third party organization.

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

administrator, third party prescription program administrator, and any other entity paying or reimbursing the costs of health care expenses.

J510, J511 or J512 Form means the current uniform dental claim form or its revision following the effective date of this Part, approved by the American Dental Association for use by dentists.

Medicare means the Health Insurance for the Aged Act, Title XVIII of the Social Security Amendments of 1965, as then constituted or later amended.

Medical Assistance or Medicaid means Title XIX of the Federal Social Security Act (42 U.S.C. 1396, et seq.) as then constituted or later amended.

Revenue Codes means the current codes established for use by institutional health care providers by the National Uniform Billing Committee and the Illinois Uniform Billing Committee.

UB92/HCFA Form 1450 means the current health insurance claim form, or its revision following the effective date of this Part, developed by the National Uniform Billing Committee for use by institutional health care providers.

(Source: Amended at 19 Ill. Reg. _____, effective January 1, 1996)

Section 2017.40 Requirements for Use of HCFA Form 1500

- a) Health plans ~~holders~~ shall accept an appropriately completed HCFA Form 1500 from health care practitioners. Health care practitioners, other than dentists, shall use the HCFA Form 1500 when filing claims with health plans for professional services. Health care practitioners that bill patients directly shall provide a properly completed HCFA Form 1500 in addition to any other explanatory information used to bill the patient when requested by the patient.
- b) Health plans ~~holders~~ shall not require health care practitioners to use any coding system for the filing of claims for health care services other than the following:
 - 1) current HCPCS Codes or current CPT Codes;
 - 2) current ICD-CM Codes; and
 - 3) For anesthesia services, current HCPCS Level 1 Codes.

- c) Health plans ~~holders~~ shall not require health care practitioners to use any other descriptor with a code or to furnish additional information with the submission of an HCFA Form 1500 except under the following circumstances:
 - 1) When the procedure code used describes a treatment or service that is not otherwise classified; or
 - 2) When the procedure code is followed by the CPT modifier 22,

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

- or 99. Health care practitioners may use Box 19 of the HCFA Form 1500 to explain multiple modifiers.
- d) Health care practitioners may use Box 19 of the HCFA Form 1500 to indicate the form is an amended version of a form previously submitted to the health plan issuer by inserting the word "amended" in the space provided.
- e) Health care practitioners billing for services based on the amount of time involved shall define in Box 19 the time interval in Box 24 G of the HCFA Form 1500. If not defined, units will be assumed to be days of treatment.

(Source: Amended at 19 Ill. Reg. _____, effective January 1, 1996)

Section 2017.50 Requirements for Use of UB92/HCFA Form 1450

- a) Institutional health care providers shall use the UB92/HCFA Form 1450 when filing claims with health plans for health care services. Institutional health care providers that bill patients directly shall provide a properly completed UB92/HCFA Form 1450 in addition to any other explanation information used to bill the patient when requested by the patient.
- b) ~~Health plans~~ ~~holders~~ shall accept the UB92/HCFA Form 1450 from institutional health care providers when completed in accordance with instructions provided by the National Uniform Billing Committee and the Illinois Uniform Billing Committee.
- c) ~~Health plans~~ ~~holders~~ shall not require institutional health care providers to use any coding system for the filing of claims for health care services other than the following:
 - 1) ICD-CM Codes;
 - 2) Revenue Codes;
 - 3) HCPCS Codes or CPT Codes.

- The ICD-CM Codes, Revenue Codes, HCPCS and CPT Codes must be used in accordance with the instructions provided by the National Uniform Billing Committee and the Illinois Uniform Billing Committee.
- d) ~~Health plans~~ ~~holders~~ institutional providers may use the HCFA Form 1450 to supplement a UB92/HCFA Form 1450 if necessary.

(Source: Amended at 19 Ill. Reg. _____, effective January 1, 1996)

Section 2017.60 Requirements for Use of J510/J511/J512 Form

- a) Dentists shall use the J510/J511/J512 Form and instruction provided by the American Dental Association CDT-1 for use of the J510/J511/J512 Form for filing claims with health plans for professional services. Dentists that bill patients directly shall provide a properly completed J510/J511/J512 Form in addition to any other form used to bill the patient when requested by the patient.

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

b)at Health plans issuers shall accept the J510/J511/J512 Form from dentists when completed in accordance with instructions provided by the American Dental Association.

c)bt Health plans issuers shall not require a dentist to use any code other than the CDT codes for the filing of claims for dental care services or to routinely furnish additional information with the submission of a J510/J511/J512 Form, unless the use of supplemental codes is defined and permitted in a written contract between the issuer and dentist.

(Source: Amended at 19 Ill. Reg. 1, effective January 1, 1996)

Section 2017-2018 General Provisions

- a) Nothing in this Part shall preclude the filing of a claim electronically.
- b) Health Plans ~~issuers~~ shall accept forms submitted in compliance with this Part for the processing of claims.
- c) Health care practitioners, institutional health care providers and health plans ~~issuers~~ if using the forms referenced in this Part shall use and accept the most current editions of the HCFA Form 1500, UB92/HCFA Form 1450 or J110/J512 Form.

effective January 1, 1996.

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF PROPOSED AMENDMENT

Real Estate Appraiser Certification

2) Code Citation: 68 Ill. Adm. Code 1455

3) Section Numbers:

4) Statutory Authority: Implementing Article 2 of the Real Estate License Act of 1983 [255 ILCS 455/Art. 2] (see P.A. 89-0023, effective July 1, 1995) and authorized by Section 60(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/60(7)].

5) A Complete Description of the Subjects and Issues Involved: Section 1455.305 is a new Section of the rules adopted pursuant to the Real Estate License Act of 1983. It sets forth the fees to be paid by applicants and licensees under the Act for initial license and license renewal for State licensed real estate appraisers, certified general and certified residential real estate appraisers, and appraisers education providers. It also sets forth fees to be paid in relation to pre-license/certification and continuing education course approval. It also sets forth fees relating to administration of the Act to cover the costs of such things as duplicate licenses, certification of a licensee's record, wall licenses, licensee roster, examinations, and copies of records or proceedings. Section 1455.305 replaces statutory fee provisions in the Act which were repealed.

In conjunction with creating the new Section 1455.305 on fees, this rulemaking repeals existing Section 1455.210 which set forth fees and other requirements relating to education providers and courses. The fee language from Section 1455.210 is replaced by new language in Section 1455.305. Other non-fee language from Section 1455.210 is moved to Section 1455.300.

Similarly, language from existing Section 1455.70 relating to temporary no-emit fees is deleted and replaced by language in new Section 1455.305.

Section 1455.200 is modified to provide that State agencies, like Illinois colleges and universities, will not be required to pay application fees required for education providers.

Sections 1455.70, 1455.200, and 1455.300 are amended to update references reflecting creation of the new Section 1455.305.

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF PROPOSED AMENDMENT

Section 1455.305 is patterned largely on the old fee structure formerly set by statute. After consultation and agreement with industry representatives, the levels of the various fees established in Section 1455.305 have been established pursuant to Section 36.6 of the Act which provides for the promulgation by rule of fees to be paid by applicants and licensees "to cover the reasonable costs (of the Commissioner's Office) in administering and enforcing the provisions" of Article 2 of the Act and to "provide by rule for general fees to cover the reasonable expenses of carrying out other functions and responsibilities" under Article 2 of the Act.

The only difference between the Emergency and Proposed Amendments can be found in new Section 1455.305(a) and (b). To accommodate an imminent, major two-year renewal for appraisers, appraiser application and renewal fees are being left at previous levels effective through November 30, 1995, when they will be replaced by new, permanent fee levels. The Emergency Amendments reflect both the old and new fee levels; the Proposed Amendments reflect only the new permanent fee levels.

Similar fee rules under the Act applying to licensed real estate salespersons, brokers, and education providers are being promulgated in a separate rulemaking reflecting the separate treatment of saleperson and broker regulation under the Act.

Section 10(g) of the real Estate Regulation Transfer Act (P.A. 89-23; effective July 1, 1995) provided that the "rules adopted by the Department of Professional Regulation relating to the powers and/or duties transferred to the (Commissioner's Office) under this Act are not affected by this Act, except that on July 1, 1995, those rules become the rules of the (Commissioner's Office)." Because of this, Section 1455.305 is being added to rules which appear to be rules of the Department of Professional Regulation, but which in fact have now been made rules of the Office of the Commissioner of Savings and Residential Finance. The Commissioner's Office intends to promulgate a clean-up revision of these rules to update agency names, references, etc., in conjunction with the transfer of real estate regulation, but the immediate need for a fee structure requires emergency rulemaking on fees before the revisionary clean-up will be promulgated.

6) Will this rulemaking replace any emergency rulemaking currently in effect?
Yes

7) Does this rulemaking contain an automatic repeal date? No

8) Does this rulemaking contain incorporations by reference? No

9) Are there any other proposed rulemakings pending on this part? No

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF PROPOSED AMENDMENT

Statement of Statewide Policy Objectives: This rule will not affect local government.
Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested parties should submit written comments or views concerning the proposed rulemaking to the attention of:

Mr. John E. Arthur, Legislative Liaison
Commissioner of Savings & Residential Finance
500 East Monroe Street, Suite 800
Springfield, Illinois 62701-1509
Telephone: (217) 782-6169.

The Agency will consider all written comments it receives in writing within 45 days of the date of publication of the Illinois Register.

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, affected: None
 B) Reporting, bookkeeping or other procedures required for compliance: None
 C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: July 1995
 The full text of the Proposed Amendments begins on the next page:

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF PROPOSED AMENDMENT

Estate Appraisers or Certified General Real Estate Appraisers; and

(5) Applicants will be required to pay any fee required by the Federal Government under Title XI of the Federal Institutions Reform, Recovery and Enforcement Act of 1989.

(Source: Amended at 1⁹ Ill. Reg. _____, effective _____)

SUBPART B: EDUCATION PROVIDERS

Section 1455.200 Approval of Education Providers/Courses

A) An entity seeking approval as an appraisal education provider shall submit an application, on forms provided by the Department, and shall meet the following minimum criteria:

- 1) The provider shall:
 - A) Maintain a fixed office that is adequate for the maintenance of all records, office equipment, files, telephone equipment and office space necessary for customer service;
 - B) Offer a minimum of one curriculum that conforms to the standards of subsections (c) and (d) of this Section;
 - C) Administer a mandatory final examination for each pre-licensure course offering;
 - D) Provide each student within 21 days of completion of each course (or within 21 days of a request by a student or the Department), a certification of completion, transcript or other document verifying hours of attendance, successful course completion and identifying the course by name and number, if any. In addition, such certificate, transcript or other document shall indicate the provider's address and telephone number, the location and date of the course, and include an authorized signature of the course provider's representative. Documentation for CE courses may be in the form of a Uniform Request for Continuing Education, which is a form supplied by national appraisal organizations;
 - E) Submit the fee(s) set forth in Section 1455.305 #455-22-0;
 - F) Comply with all applicable fire, building, zoning, health, safety and accessibility codes and standards pertaining to the premises, equipment and facilities of the course site;
 - G) Provide the student with information which specifies the course of study to be offered; the tuition to be charged; the school's policy regarding refund of unearned tuition when a student is dismissed or withdraws voluntarily or through hardship; any additional fee to be charged for supplies, materials or books which become the property of the student upon payment; and such other matters as are material to the relationship between the school and the

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF PROPOSED AMENDMENT

student (e.g., cost of retaking a course, current status of licensure, any disciplinary action taken by the Department and a attendance requirements);

H) Maintain for each student a record which shall include the course of instruction undertaken, dates of attendance, and areas of study completed satisfactorily. Each student's record shall be maintained by the school for a period of at least 7 years and shall be available for inspection by the student or by the Department or its designee during regular business hour; and

I) Employ competent instructors.

i) Beginning December 31, 1993, instructors for courses in the IL IV and IL V curricula shall be Certified General Real Estate Appraisers or full time faculty members of a 4-year college or university.

ii) Beginning December 31, 1993, instructors for courses in the IL I, IL II and IL III curricula shall be Certified Residential or Certified General Real Estate Appraisers or full time faculty members of a 4 year college or university.

iii) For CE courses and courses in the IL E curriculum, instructors should be Certified Residential or General Real Estate Appraisers or Persons with education and/or experience in appraisal or the subject matter of the course.

2) Approved course providers shall not advertise as being endorsed, recommended or accredited by the Department. Course providers may indicate that the provider and course of study have been approved by the Department.

3) Illinois Colleges, Universities, and Agencies

A) Colleges and universities which apply as appraisal education providers under subsection (a)(1) above shall be accredited by the regional accrediting body and offer either or both an associate's and baccalaureate degree program.

B) Illinois Colleges and universities will not be required to pay the application fees required by Section 1455.305 #455-22-0.

C) Agencies under the jurisdiction of the Governor of the State of Illinois will not be required to pay the application fees required for education providers by Section 1455.305.

b) Appraisal Education Sub-Providers

1) Sub-organizations (such as chapters, branch schools and local associations) may seek CE course approval (licensure) under the appraisal education provider's license of the parent organization. Such sub-providers may not seek approval for pre-license appraisal courses. Sub-providers may offer pre-license courses as a co-sponsor with the parent provider.

2) Sub-organizations need not apply to the Department to become an

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF PROPOSED AMENDMENT

approved CE course provider but may seek course approval under the providership of the parent organization.

- A) A sub-provider need not comply with (A), (C), (D) or (H) of subsection (a)(1) of this Section.
- B) The license of the parent organization may not be jeopardized or disciplined as a result of the actions of the sub-provider.

- 3) The appraisal education sub-provider, on each application for CE course approval, must certify:

- A) The sub-organization has reviewed the CE course and approves the course content;

- B) The sub-organization is an authorized affiliate of the parent organization;

- C) The parent organization has given the sub-organization permission to seek course approval (licensure) under the umbrella of the parent organization's provider's license; or, that the parent organization will recognize the course for CE credit within its own CE program.

- 4) Each CE course sub-provider shall issue to each registered student a certificate of attendance that shall indicate the student's name, social security number or appraiser license/certification number, the date(s) and location of the course, the signature of an authorized representative of the sub-provider and a statement that the student did or did not attend a minimum of 90% of the course. A certificate of attendance may be in the form of a course attendance diploma, a certification letter, an official transcript or a "Uniform Request for Continuing Education Credit".

- 5) Within twenty-one (21) days after completion of each CE course presentation, the sub-provider shall certify to the Department, Office of the Appraisal Administrator, a roster of all duly registered students. The certification shall be on forms provided by the Department and shall include:

- A) The CE course license number;
- B) The license number of the parent provider;
- C) The date(s) and location of the CE presentation;
- D) The name of the instructor(s);
- E) A listing of students by full name, appraiser license/certification number (or social security number) and an indication that the student did or did not attend a minimum of 90% of the course (the names shall be listed in alphabetical order); and
- F) The authorized signature of a representative of the sub-organization.

c) Required Pre-License/Certification Course Curriculum

- 1) Standards of Professional Appraisal Practice—15 hours (IL I). This course curriculum reviews USPAP adopted by the Appraisal Subcommittee. Topics are:

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF PROPOSED AMENDMENT

NOTICE OF PROPOSED AMENDMENT

- A) Ethics Provision - USPAP

- B) Competency Provision - USPAP

- C) Departure Provision - USPAP

- D) Standard 1 - USPAP

- E) Standard 2 - USPAP

- F) Standard 3 - USPAP

- G) Standard 4 - USPAP

- H) Standard 5 - USPAP

- I) Standard 6 - USPAP

- 2) Basic Principles of Appraisal—30 hours (IL II). This course curriculum shall include an overview of the appraisal process covering the principles of market and valuation analysis necessary for appraising real property and an introduction to appraisal theory, concepts, techniques and the level of competence required to perform professional appraisal analyses. Topics are:

- A) Influences on Real Estate

- B) Real Estate/Real Property/Personal Property

- C) Real Estate Ownership

- D) Legal Descriptions

- E) Types of Value

- F) Economic Principles

- G) Real Estate Markets and Market Analysis

- H) Money and Capital Markets

- I) Real Estate Financing

- J) Valuation Process

- K) Neighborhood Data and Analysis

- L) Site Data and Analysis

- M) Improvement Data and Analysis

- N) Basic Construction and Design

- O) Highest and Best Use Analysis

- P) Sources of Valuation Data

- Q) Accumulation of Valuation Data

- R) Overview of the Three Approaches to Value

- S) Reconciliation and Final Value Estimate

- T) Overview of the Appraisal Report

- U) Appraisal Procedures/Single Family Appraisal—30 hours (IL III). This course curriculum shall be designed to provide an understanding and working knowledge of the procedures and techniques required to estimate the market value of residential properties. Emphasis should be placed on the extraction of data and the correct application of the three approaches to real estate valuation. Topics are:

- A) Basic Statistics

- B) Residential Site Valuation - Sales Comparison

- C) Residential Site Valuation - Allocation

- D) Residential Site Valuation - Extraction

- E) Cost Approach - Cost New Estimates

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF PROPOSED AMENDMENT

F) Cost Approach - Entrepreneurial Profit
 G) Cost Approach - Types of Depreciation
 H) Cost Approach - Depreciation - Age-life Method
 I) Cost Approach - Depreciation - Market Extraction Method
 J) Cost Approach - Depreciation - Breakdown Method
 K) Cost Approach - Application
 L) Sales Comparison Approach - Units of Comparison
 M) Sales Comparison Approach - Elements of Comparison
 N) Sales Comparison Approach - Cash Equivalency
 O) Sales Comparison Approach - Making Adjustments
 P) Sales Comparison Approach - Application
 Q) Income Capitalization Approach - Gross Rent Estimates
 R) Income Capitalization Approach - Gross Rent Multiplier
 S) Income Capitalization Approach - Application
 T) Residential Appraisal Reports

4) Valuation Procedures. Nonresidential Properties--30 hours (IL IV). This course curriculum focuses on the appraisal of nonresidential properties and provides a practical solution for estimating value by an in-depth study of appraisal theory and the development of advanced valuation skills. Topics are:

A) Basic Statistics
 B) Site Valuation - Sales Comparison
 C) Site Valuation - Allocation/Extraction
 D) Site Valuation - Subdivision Analysis/Other Methods
 E) Cost Approach - Cost New Estimates
 F) Cost Approach - Entrepreneurial Profit
 G) Cost Approach - Types of Depreciation
 H) Cost Approach - Depreciation - Age-life Method
 I) Cost Approach - Depreciation - Market Extraction Method
 J) Cost Approach - Depreciation - Breakdown Method
 K) Cost Approach - Application
 L) Sales Comparison Approach - Units of Comparison
 M) Sales Comparison Approach - Elements of Comparison
 N) Sales Comparison Approach - Cash Equivalency
 O) Sales Comparison Approach - Making Adjustments
 P) Sales Comparison Approach - Application
 Q) Income Approach - Income Estimates
 R) Income Approach - Expense Estimates
 S) Income Approach - Capitalization Rates
 T) Income Approach - Direct Capitalization
 U) Income Approach - Income Multipliers
 V) Income Approach - Application
 W) Appraisal Reports

5) Income Capitalization--30 hours (IL V). Courses in this curriculum are to provide alternative methods of estimating present value based on income forecasts. There courses focus on more advanced capitalization methods and techniques. Topics include:

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF PROPOSED AMENDMENT

A) Six Functions of S1
 B) Gross Income Estimates
 C) Vacancy and Collection Loss
 D) Operating Expense Estimates
 E) Reserves for Replacement
 F) Operating Statement Ratios and Multipliers
 G) Debt Service/Equity Dividend
 H) Direct Capitalization
 I) Overall Rate Development - Market Extraction
 J) Overall Rate Development - Band of Investment
 K) Overall Rate Development - Ratios/Multipliers
 L) Overall Rate Development - Residual Techniques
 M) Equity Dividend Rate
 N) Debt Coverage Ratio.
 O) Cash Flow Estimates
 P) Reversion Estimates
 Q) Discount and Yield Rates
 R) Yield Capitalization Overview
 S) Discounted Cash Flow Analysis Overview
 T) Lease Provisions, Analysis and Valuation
 U) Lease Analysis
 V) Partial Interest Valuation
 6) Courses in the IL E curriculum (electives) are courses with topics that are considered more advanced; and/or cover appraisal topics not covered in the core course curricula. Credit for elective hours can be achieved by successful completion of courses approved in the IL E curriculum or by successful completion of courses with excess hours approved and allocated for elective credit in accordance with subsection (c)(9) of this Section.

7) Each pre-license/certification course shall be a minimum of 15 credit hours.
 8) All pre-license/certification courses shall include a final examination.

A) Each final exam for curricula IL II, IL III, IL IV, IL V and IL E (elective) courses shall consist of a minimum of 50 questions; however, courses approved for 15 hours credit may have a final examination with 25 questions.

B) The final exam for IL I courses shall consist of a minimum of 25 questions.

C) The applicant shall pass the examination in order to obtain 70% of examination questions answered correctly.

9) If 80% of the required topics for IL II through IL V courses are presented, the course shall be approved for the minimum required hours. Two 15 hour courses from a single provider may be approved to meet a 30 hour curriculum requirement, provided the courses together cover a minimum of 80% of the required

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF PROPOSED AMENDMENT

curriculum topics. An application for one 15 hour course in a curriculum requiring 30 hours will be denied. For courses in the IL I curriculum 100% of the listed topics must be covered. IL E courses will be approved based upon the Committee's review of the course as to the value of topics to be presented and their relationship to the appraisal process.

- A) Classroom hours in excess of the curriculum requirement may be approved for elective credit. Such approval is limited to 9 excess hours for courses in a 30 hour curriculum requirement and 5 excess hours for courses in a 15 hour curriculum requirement;
- B) Excess hours may be approved, within the above limits based upon the Committee's evaluation of the appraisal educational value of the excess hours;
- 10) All changes in course content shall be submitted to the Department for review and evaluation.
- 11) The license for all pre-license/certification courses shall expire 36 months from the date of issue. An approved provider may renew the course approval by completing a renewal application and paying the renewal fee, in accordance with Sections 1455.30
~~1455.30~~ and 1455.305 ~~1455.300etd~~ of this Part.

d) CE Course Requirement

- 1) Courses licensed by the Department for pre-license/certification appraiser education are approved for CE credit. The renewal applicant will be awarded credit for attendance at these courses provided the license for the course was valid and in good standing at the time of attendance and provided the course is not repetitive as indicated by Section 1455.205. CE credit for pre-licensure certification education will be awarded as 15 hours for 15 hour courses and 20 hours for 30 (or more) hour courses.
- 2) CE courses shall be approved by the Appraisal Administrator, upon the recommendation of the Committee, for courses with or without a final examination.
- 3) The application for each course approval shall include a description of the course, a course (or instructor's) outline that shall list the time frame for topic presentation, the number of classroom instruction hours excluding examination, the time allotted for examination (if any), the specific course name as it will appear on transcripts or course certifications, sample of the certificate, the transcript or other documentation that will be used to document the student's attendance; and any other information that may be required by the Department.

A) An applicant may be required to submit texts and all other course materials for evaluation by the Appraisal Committee.

B) The application for CE courses being offered by a sub-provider shall also include a certification in accordance with subsection (b)(3) of this Section.

4) The Committee/Administrator shall approve courses that would

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF PROPOSED AMENDMENT

contribute to the integrity, extension and enhancement of professional skills and knowledge in the practice of Real Estate Appraisal. Courses submitted for approval should be designed to cover at least one of the following topics:

- A) Ad Valorem Taxation
- B) Arbitration
- C) Business Courses (related to practice of real estate appraisal)
- D) Construction Cost Estimating
- E) Ethics and Standards of Professional Practice
- F) Illinois Appraiser Licensing Laws and/or Rules
- G) Land Use, Planning, and Zoning
- H) Property Development
- I) Real Estate Appraisal (valuation/evaluation)
- J) Real Estate Management, Leasing, Brokerage, Timeshare
- K) Real Estate Law
- L) Real Estate Litigation
- M) Real Estate Finance or Investment
- N) Appraisal Computer Applications
- O) Real Estate Securities and Syndications
- P) Real Property Exchange
- Q) Other topics deemed appropriate by the Committee/Administrator.
- 5) The Committee/Administrator shall not approve:

- A) Motivation courses or seminars
- B) Courses that focus on the recruitment of employees or clients
- C) Courses or seminars that focus on the recruitment of associations
- D) Courses or seminars with instructional material relative to passing the State's appraiser examination
- E) Having less than three classroom hours of instruction exclusive of examination (if any)
- F) A course for more than 20 hours CE credit
- G) Subsequent to approval of any CE course, revisions in course content and/or course material shall be submitted for re-evaluation and re-approval. Failure to report course changes may result in revocation of the CE course license. The fee for re-approval shall be in accordance with Section 1455.305
~~1455.30~~.
- 7) Approval (license) for CE courses shall expire on March 31 of even numbered years. The provider or sub-provider may renew the approval (license) by completing a renewal application and paying the renewal fee, in accordance with Sections 1455.300
~~1455.30~~ and 1455.305 ~~1455.300etd~~ of this Part.

e) Audits and Inspections. The Department may conduct on site inspections of the course provider's (or sub-provider's) place of

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF PROPOSED AMENDMENT

business and may audit any session of any course approved for pre-license or CE credit.

- 1) At the request of the Appraisal Administrator, a course provider shall provide a list of all courses that the provider is planning to offer within a 6 month period subsequent to the request. The list shall include the name and license number of each course, as well as the date, time and location of each presentation.
- 2) In the event of a course audit, the provider shall provide the Department representative, at no cost, any and all course materials used in the presentation of the course being audited.
- 3) The Appraisal Administrator, a member of the Administrator's staff, an Appraisal committee member or other designated Department employee may inspect the business office of any course provider (or sub-provider) during normal business hours.

e) Withdrawal of Approval

1) The Department, upon recommendation of the Real Estate Appraisal Committee, shall withdraw, suspend or place on probation in accordance with 68 Ill. Adm. Code 1110 the approval of the real estate appraiser education provider when the quality of the program fails to continue to meet the established criteria of an approved provider as set out in this Section or upon determination that the decision to approve the program was based upon false or deceptive information.

2) The provider's license will terminate immediately upon the failure to renew. Course licenses will terminate upon the expiration date or immediately upon the termination of the provider's license. The provider may thereafter reapply for approval as an appraiser education provider and for course approval.

(Source: Amended at 19 Ill. Reg. _____, effective _____)

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF PROPOSED AMENDMENT

NOTICE OF PROPOSED AMENDMENT

- b) Application-Fees-for-Pre-licensure/certification-and-EB-Course-Approval
 - i) The application fee for a pre-licensure/certification-approved course shall be \$600 and each approved course with expire 3 years from the date of issuance upon the expiration of the provider's license for which the course is issued to a valid provider for an additional 3 years by competition of a renewal application provided by the Department and payment of a non-refundable renewal fee of \$360.
 - At The course may be renewed subject to a valid provider's license for an additional 3 years by competition of a renewal application provided by the Department and payment of a non-refundable renewal fee of \$360.
 - By Renewal applications received after the expiration date shall be \$360. Applications received 366 days or more after the expiration date shall not be renewed. The applicant may submit a new application for approval of the pre-licensure/certification course under a different course title.
 - At The renewal application shall include a confirmation of the provider's original certification and a certification that the course is resold to the same course as previously approved in addition to the application in detail. The applicant must explain any course revisions in detail through existing of texts and other materials used in the course as well as the current final examination and the current course outline which shall contain a time schedule for topic presentation.
 - By The application fee for EB-course-approval shall be \$360 and the approval fee for each course may be renewed prior to its expiration date which is March 31 of even numbered years. A course meeting the requirements of Section 1455-2008(t)(1) through (5) will be denied licensure as an EB course; however such course may be approved by application for approval of the pre-licensure/certification course and payment of the appropriate fee.
 - At The EB course may be renewed for an additional 2 year fee. The EB course may be renewed by completion of a renewal application which shall be provided by the Department and payment of a renewal fee of \$360.
 - By The renewal fee is submitted after the expiration date of EB course renewal shall be \$360. Any application for EB course renewal received by the Department 366 days or more after the expiration date shall not be renewed. The applicant may submit a new application for approval of the course under a different course title.
 - At The renewal application shall include a confirmation of the provider's original certification and a certification that the course is resold to the same course as previously approved in addition to the application in detail. The applicant must explain any course revisions in detail.
 - By An appraiser's education provider's license that has expired for more than 60 days may not be renewed unless the provider may reapply for licensure in accordance with Section 1455-2007.

Section 1455.210 Fees - Education Providers/Courses (Repealed)

- a) Application/Renewal-Fees-for-Appraiser-Education-Providers
 - i) The fee for application of an estate appraiser education provider shall be \$100 plus course approval fees set forth in subsection (b) below which are non-refundable.
 - 2) The fee for renewal of an approved trainee estate appraiser education provider shall be \$500 per year which is non-refundable.
 - At The fee to renew an appraiser education provider license that has expired for less than 60 days shall be \$500 plus a penalty of \$100.
 - By An appraiser's education provider's license that has expired for more than 60 days may not be renewed unless the provider may reapply for licensure in accordance with Section 1455-2007.

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF PROPOSED AMENDMENT

~~listing-of-texts-and-other-materials-used-in-the-course--and
the--current--course--outline--which--shall--contain-a-time
schedule--for-topic-presentation:~~

3) ~~the-fee-for-evaluation-of-revisions-to-approved-courses-shall-be
\$200--for-pre-licensure/certification-courses--and--\$75--for--es
courses?~~

(Source: Amended at 19 Ill. Reg. _____, effective _____)

SUBPART C: GENERAL

Section 1455.300 Renewals

a) Every license or certificate issued under the Act as a State Licensed Real Estate Appraiser, Certified Residential Real Estate Appraiser or Certified General Real Estate Appraiser shall expire on September 30 of each odd-numbered year. The holder of a license or certification may renew the license or certification during the month preceding the expiration date by paying the required fee specified in Section 1455.305 of this Part. ~~36-6--of-the-Act--A-penalty-fee-of-\$20--shall-be charged-for-renewal-of-an-expired-license-or-certification.~~

1) In order to renew a license or certification in 1995, and thereafter, an applicant will be required to comply with the continuing education requirements pursuant to Section 36.17 of the Act and Section 1455.205 of this Part.

2) A license with the title of State Licensed Real Estate Appraiser may be renewed by providing evidence of completion of experience as required by Section 1455.20(b), evidence of 20 hours CE course work and payment of renewal fees set forth in Section 1455.305 of this Part. ~~36-6--of-the-Act--For a license expired between 2 years and 3 years, a renewal applicant shall complete the 20 hours of CE after the expiration date on the license.~~

3) An expired license for Certified Residential or General Real Estate Appraiser may be renewed by payment of renewal fees set forth in Section 1455.305 of this Part. ~~36-6--of-the-Act and evidence of completion of 20 hours of CE coursework. For a license expired between 2 years and 3 years, a renewal applicant shall complete 20 hours of CE after the expiration date on the license.~~

4) A license or certificate for State Licensed, Certified Residential or Certified General Real Estate Appraiser expired for more than 3 years will not be renewed. The appraiser may reapply for license or certification by meeting the licensure or certification requirements in effect at the time of application and by passing the appropriate State Appraiser Examination.

5) The holder of a license or certificate for State Licensed, Certified Residential or Certified General Appraiser that is

NOTICE OF PROPOSED AMENDMENT

expired for a period of less than 3 years may renew the license or certificate in accordance with the provisions of this Section. Licensees may not reapply for licensure or certification in the same appraiser category until the certificate has been expired for 3 years.

b) Approved real estate appraiser education providers shall renew December 31 each year by paying the required fee set forth in Section 1455.305 ~~±455±2±0~~ of this Part. An appraiser education provider's license that has expired for more than 60 days may not be renewed. The provider may reapply for licensure in accordance with Section 1455.200.

c) Approved pre-license/certification courses will expire 3 years from the date of issue, or upon the expiration of the provider license (for which the course license is subordinate), and may be renewed by renewal application ~~reapplication~~ and payment of fees, in accordance with Sections Section 1455.200 and ~~1455.305 ±455±2±0~~, 60 days prior to expiration.

1) The renewal application shall include a confirmation of the provider's original certification and a certification that the course is essentially the same course as previously approved. In addition to the application, the applicant must explain any course revisions in detail, submit a listing of tests and other materials used in the course as well as the current course examination, and submit the current course outline, which shall contain a time schedule for topic presentation.

2) Applications received 366 days or more after the expiration date shall not be renewed. The applicant may submit a new application for approval of the pre-license/certification course under a different course title.

d) Approved appraisal CE courses will expire on March 31 of even numbered years and may be renewed by renewal application ~~reapplication~~ and payment of fees, in accordance with Sections Section 1455.200 and ~~1455.305 ±455±2±0~~, 60 days prior to expiration.

1) The renewal application shall include a confirmation of the provider's original certification and a certification that the course is essentially the same course as previously approved. In addition to the application, the applicant must explain any course revisions in detail, submit a listing of tests and other materials used in the course, and submit the current course outline, which shall contain a time schedule for topic presentation.

2) Any application for CE course renewal received 366 days or more after the expiration date shall not be renewed. The applicant may submit a new application for approval of the course under a different course title.

3) A course meeting the requirements of a pre-license/certification course as set forth in Section 1455.200(c)(1) through (5) will be denied licensure as a CE course; however, such course may be

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF PROPOSED AMENDMENT

approved by application for approval as a pre-license/certification course and payment of the appropriate fee.

e) It is the responsibility of each individual holding certification or licensure to notify the Department of any change of address. Failure to receive a renewal form from the Department shall not constitute an excuse for failure to pay the renewal fee and to renew the certification in a timely manner.

f) A certificate for State Licensed Real Estate Appraiser will not be renewed until the Department has received documentation of 500 hours of experience in accordance with Section 1455.20(b). To expedite processing, the documentation may be submitted with the original application for licensure or as soon as the experience is met; otherwise, it shall be submitted with the renewal application.

Source: Amended at 19 Ill. Reg. _____, effective _____)

Section 1455.305 Fees

a) Appraiser Application Fees

1) The application fee for licensure as a State licensed real estate appraiser (whether by examination, examination acceptance, or reciprocity) is \$175, effective December 1, 1995.

2) The application fee for licensure as a Certified General or Certified Residential Real Estate Appraiser (whether by examination, examination acceptance, or reciprocity) is \$175, effective December 1, 1995.

3) The initial registry fee for original permanent licensure/certification as an appraiser is \$75, effective December 1, 1995.

4) The fee for each temporary practice permit, in accordance with Section 1455.70, is \$100, effective December 1, 1995.

5) The fee for extension of a temporary practice permit, in accordance with Section 1455.70, is \$100, effective December 1, 1995.

b) Appraiser Renewal Fees

1) The fee for renewal of an active appraiser license or certification is \$450, effective December 1, 1995.

2) The fee for renewing an expired license or certification is \$550, effective December 1.

c) Application/Renewal Fees for Appraiser Education Providers

1) The fee for application as a real estate appraiser education provider shall be \$1000, plus necessary course approval fees as set forth in subsection (d) below.

2) The fee for renewal as an approved real estate appraiser education provider shall be \$500 per year.

3) The fee to renew an appraiser education provider license that has

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF PROPOSED AMENDMENT

been expired for less than 61 days shall be \$600.

d) Application/Renewal Fees for Pre-license/Certification and CE Course Approval

1) The application fee for approval of a pre-license/certification appraisal course shall be \$500.

A) The fee for renewal of a pre-license/certification appraisal course shall be \$250.

B) The fee for renewal of a pre-license/certification appraisal course that has been expired for less than 366 days shall be \$350.

2) The application fee for CE course approval shall be \$300.

A) The fee for renewal of an approved CE course shall be \$150.

B) The renewal fee for an approved CE course that has been expired for less than 366 days shall be \$250.

3) The fee for evaluation of revisions to approved courses shall be \$200 for pre-license/certification courses and \$75 for CE courses.

e) General

1) All fees paid pursuant to the Act and this Section are non-refundable.

2) Applicants for examination and reexamination for appraiser certification and licensure shall pay a fee covering the cost of providing such examination. If a designated testing service is utilized for the examination, such fee shall be paid directly to the designated testing service.

3) The fee for certification of a registrant's record (e.g., license status, examination information, discipline, etc.) is \$25.

4) There is no fee for license/certification verification.

5) The fee for issuance of a duplicate license or certification or replacement of a lost license or certification is \$25.

6) The fee for a license or certification with name and/or address change (other than name and/or address change at renewal) is \$25.

7) The fee for a decorative wall certificate is the actual cost of the certificate which shall include shipping and handling costs.

8) The fee for a roster of persons licensed under the Act is the cost of producing the roster including shipping and handling costs.

9) The fee for requesting a waiver of the real estate appraiser experience requirement pursuant to Section 36.11 of the Act shall be \$25.

10) The fee for furnishing a record of proceedings under Section 36.20 of the Act is \$1 per page of the record.

11) National Registry fees payable to the Appraisal Subcommittee pursuant to federal regulations and laws shall be paid by the agency from funds appropriated by the General Assembly from the Appraisal Administration Fund.

Source: Amended at 9 Ill. Reg. _____ effective _____.

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF PROPOSED AMENDMENT

)

CIVIL SERVICE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Civil Service Commission2) Code Citation: 80 Ill. Adm. Code 13) Section Numbers:Adopted Action:

1.10	Amended
1.40	Repealed
1.45	Renumbered
1.50	Amended
1.80	Amended
1.90	Amended
1.100	Amended
1.120	Amended
1.130	Renumbered
1.140	Renumbered, amended
1.141	Renumbered, amended
1.142	Renumbered
1.143	New
1.145	New
1.146	New
1.147	New
1.150	Amended
1.154	New
1.158	New
1.160	Amended
1.170	Amended
1.180	Repealed
1.190	Amended
1.200	Amended
1.205	New
1.210	Amended
1.212	New
1.216	New
1.218	New
1.220	Amended
1.222	New
1.224	New
1.226	New
1.230	Amended
1.232	New
1.233	New
1.234	New
1.235	New
1.236	New
1.237	New
1.240	Amended
1.250	Amended

CIVIL SERVICE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

- 1.270 Amended
- 1.280 Amended
- 1.290 Amended
- 1.300 Renumbered, amended
- 1.302 Renumbered
- 1.320 Renumbered
- 1.330 Renumbered
- 1.340 Renumbered
- 1.350 Renumbered

4) Statutory Authority: The Personnel Code [20 ILCS 415/1]5) Effective Date of Rulemaking: August 21, 19956) Does this rulemaking contain an automatic repeal date? No7) Does this rulemaking contain incorporations by reference? No8) Date Filed in Agency's Principal Office: August 21, 19959) Notice of Proposal Published in Illinois Register: September 9, 1994 at 18 Ill. Reg. 13525.10) Has JCAR issued a Statement of Objections to these rules? No11) Difference(s) between proposal and final version: There were no substantive changes between the proposed and final versions.12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes13) Will this rulemaking replace an emergency rule currently in effect? No14) Are there any amendments pending on this Part? No15) Summary and Purpose of Rulemaking: This rulemaking governs the conduct of contested hearings held before the Commission and the regulatory actions for which the Commission is responsible in order to ensure compliance with the Personnel Code.

Contested hearings lie in the areas of discipline appeals, most typically discharge of an employee from a certified employment position, appeals of layoff, and appeals of allocation. With regard to regulatory matters the rules govern Commission actions in approval of requests for exemption of Code coverage for policy making positions and also approval of amendments to the plan of classification of positions of employment subject to the Code. The rules are also amended to provide for more detailed information about requests to the Commission for information.

CIVIL SERVICE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

16) Information and questions regarding these adopted amendments shall be directed to:

Name: Illinois Civil Service Commission
Address: Attention: Bruce J. Finne
425 1/2 South Fourth Street
Springfield, Illinois 62701
Telephone: (217)782-7373 FAX #: (217)524-3706

The full text of the Adopted Amendment begins on the next page:

CIVIL SERVICE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
 SUBTITLE A: MERIT EMPLOYMENT SYSTEMS
 CHAPTER I: CIVIL SERVICE COMMISSION

PART 1

CIVIL SERVICE COMMISSION

Section	Meetings of the Commission	1.236	<u>Order of Hearing</u>
	Procedures Before the Commission (<u>Repealed</u>)	1.237	<u>Hostile Witness</u>
	<u>t-7-201.45 Classification Plan</u>	1.240	<u>Interlocutory Appeal</u>
	Ex Parte Consultations	1.250	Past Work Record
	Declaratory Rulings	1.260	Oral Argument Before the Commission to Modify <u>Hearing-Officer's</u> Administrative Law
	Allocation Appeals Procedure	1.270	Authority of Commission to Modify <u>Hearing-Officer's</u> Administrative Law <u>Judge's</u> Decision - Finality of Decision
	Appeal of Layoff	1.280	Record of Proceedings
	Allegations of Personnel Code and Rule Violations	1.290	Remandment
	Appeal of Geographical Transfers	1.300	Administrative Review
	Appeals of Disciplinary Actions or Demotion	1.310	Personnel Rules
	Response to Proposed Decisions (<u>Renumbered</u>)	1.320	Classification Plan (<u>Renumbered</u>)
	<u>t-7-201.141 Collective Bargaining Agreements</u>	1.330	Collective Bargaining Agreements (<u>Renumbered</u>)
	Appeal of Hearings	1.340	Jurisdiction B Exemptions (<u>Renumbered</u>)
	Filing Procedure - Computation of Time	1.350	Orders of Compliance (<u>Renumbered</u>)
	Notice, Time, and Place of Hearing		AUTHORITY: Implementing and authorized by Section 10 of the Personnel Code [20 ILCS 415/10].
	Public Hearing - Recording - Confidentiality		SOURCE: Adopted June 28, 1972; rules repealed and new rules adopted at 6 Ill. Reg. 3551 and 3553, effective March 23, 1982; codified at 8 Ill. Reg. 16419; amended at 9 Ill. Reg. 15822, effective October 4, 1985; amended at 19 Ill. Reg. <u>12451</u> , effective <u>AUG 21 1995</u> .
	Disciplinary Charges and Amendments		Section 1.10 Meetings of the Commission
	Cause for Discharge		a) The Illinois Civil Service Commission (hereinafter called "Commission") shall hold an open and public meeting each month. The meetings shall be held when practicable on alternate months in Chicago and Springfield.
	Conduct of Hearings (<u>Repealed</u>)		b) A schedule of meeting dates shall be made at the beginning of each calendar year stating the date, time, and place of the monthly meetings.
	Subpoena - Fees and Mileage of Witnesses		c) Changes in regular meeting dates and the holding of special meetings shall be made in compliance with the Illinois Open Meetings Act [<u>ILCS 1201</u> and the Illinois Personnel Code [<u>20 ILCS 415</u>]].
	Authority of <u>Hearing-Officer</u> Administrative Law Judge		d) Meetings may be held by telephone conference call or by video conferencing if done in compliance with all applicable laws.
	Motions		(Source: <u>AUG 21 1995</u> at 19 Ill. Reg. <u>12451</u>)
	Extensions of Time - Continuances of Hearing - Waivers of Compensation for Continuances		effective
	Consolidation		Section 1.40 Procedures Before the Commission (<u>Repealed</u>)
	Qualification of Administrative Law Judge		The provisions--of--the--Illinois--Administrative--Procedure--Act--Rev.--Stat--9817-ch-1277-prorg-1001-st-seqr--concerning--procedures--in--contested--cases shall--be--applicable--in--all--proceedings--before--this--Commission.
	Disqualification of Administrative Law Judge		
	Discovery		
	Evidence Depositions		
	Prehearing Conference		
	Stipulations		
	Default		
	Burden of Proof		
	Evidence		
	Offer of Proof		
	Exhibits		

CIVIL SERVICE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

(Source: Repealed at 19 Ill. Reg. **AUG 21 1995**, effective **12451**, effective

Section 4-320 1.45 Classification Plan

The Commission will review the class specifications requiring Commission approval under the Classification Plan and will approve those which meet the requirements of the Personnel Code and Personnel Rules and conform to the following currently accepted principles of position classification:

- The specifications are descriptive of the work being done or which will be done;
- Identifiable differentials are set forth among classes which are sufficiently significant to permit the assignment of individual positions to the appropriate class;
- Reasonable career promotional appointments are provided;
- The specifications provide a reasonable and valid basis for selection screening by merit examinations;
- All requirements of the positions are consistent with classes similar in difficulty, complexity, and nature of work.

(Source: Section 145 renumbered from Section 1995 and amended at 19 Ill. Reg. **12451**, effective **AUG 21 1995**)

Section 1.50 Ex Parte Consultations

- Except in the disposition of matters which they are authorized by law to entertain or dispose of on an ex parte basis, neither commission members, employees, nor hearing examiners Administrative Law Judges shall, after notice of hearing in a contested case, communicate directly or indirectly, in connection with any issue of fact, with any person or party, or in connection with any other issue with any party or his representative, except upon notice and opportunity for all parties to participate. However-a commission member may communicate with other members of the commission and advise one or more personnel hearing examiners-may have the aid and advice of one or more personnel assistants.
- Communications regarding procedure, such as format of pleadings, number of copies required, manner of service, status of proceedings, and continuances are not considered to be ex parte communications. However, requests for continuances shall not be granted until the opposing party is notified either orally or in writing that a request is going to be made.

(Source: Amended at 19 Ill. Reg. **AUG 21 1995**)

Section 1.80 Declaratory Rulings

CIVIL SERVICE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

- Upon petition from an interested or affected person or agency the Commission ~~shall~~ may make declaratory rulings as to material questions involving the applicability and interpretation of the Personnel Code, the Personnel Rules of the Department of Central Management Services (80 Ill. Adm. Code 301, 302, 303, 304 and 305) or any order or final decision of the Commission.
- The Commission may refuse to issue such rulings if the question is in issue in a contested case before the Commission, if the ruling would not resolve a substantial issue of law, if the request presents an issue already determined by the Commission or court of competent jurisdiction, or if the issue is pending in another court or administrative body.
- Declaratory rulings shall not be appealable but are only advisory.

(Source: Amended at 19 Ill. Reg. **AUG 21 1995**)

→

Section 1.90 Allocation Appeals Procedure

- An employee shall, within 15 days of receipt of the Director of the Department of Central Management Services' decision on reconsideration, serve notice upon the Commission of his intent to appeal the reconsideration decision of the Director. A copy of the notice of intent shall be served upon the Director of the Department of Central Management Services. Such notice should state the name of the employee, his appointing agency, a description of the disputed classification issue, and the class for which the employee is appealing.
- Upon receipt of a notice of intent to appeal, the Director of the Department of Central Management Services shall file with the Commission within 20 days a submission setting forth the facts and reasons for the reconsideration decision. A copy shall be served upon the employee. In such submission there shall be a clear and brief recitation of all relevant facts, argumentative facts, and documentary evidence submitted in exhibit form.
- Within 20 days of the receipt of the Director's submission, the employee shall file with the Commission an answer setting forth all relevant facts, argumentative facts, and documentary evidence in exhibit form. A copy of such answer shall be served upon the Director of the Department of Central Management Services. The employee shall point out with particularity his disagreement with the submission of the Department of Central Management Services.
- Within 30 days of receipt by the Commission of the submissions of the parties notification will be served by the Commission of a date of hearing which shall be held for the purpose of presenting argument and/or accepting evidence on material and substantial issues of fact. By agreement of the parties and Commission the hearing may be waived.

If-either-party-intends-to-present-evidence--at--the--hearing--on--a

CIVIL SERVICE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

materiat---fact---notice---of---that---be---served---on---the
opposing party is 15 days before the date of hearing---The notice---shall
set---forth---the---material---and---substantive issue of fact---on---which---the
party intends to present evidence.

e) Parties may represent themselves, be represented by counsel, or by other representatives as they may elect.

g) After the completion of the hearing a proposal for decision by the hearing officer Administrative Law Judge shall be served upon the parties. The parties shall have 20 15 days after service to file written comments and arguments before the Commission renders its final decision. The filing of the parties' response shall be in accordance with Section 1.150 of this Part.

q) Employees who are subject to collective bargaining agreements which permit an appeal to the Commission of class study reclassifications not resolvable under the applicable contract shall use the procedure set forth in this rule if they appeal to the Commission.

(Source: Amended at 19 Ill. Reg. AUG 21 1995)

Section 1.100 Appeal of Layoff

a) An appeal of layoff shall be filed with the Commission by the affected employee within 15 calendar days following the effective date of layoff. The effective date of layoff is that date designated by the Director of Central Management Services in his the approved notice of layoff which is served on the employee.

b) The appeal shall set forth with particularity a statement of facts and a designation of the applicable provisions of the Personnel Code or Rules of the Department of Central Management Services which are alleged to have been violated.

c) An investigation shall be conducted by the Commission and the proposed findings shall be served upon all parties to the dispute. The parties shall then have 21 days to file in the office of the Commission a response to the proposed findings and a request for hearing if either party so desires.

d) If in the judgment of the Commission a substantial issue of fact or law exists which cannot be resolved by investigation the parties will be notified of a date of hearing. The notice will set forth a short statement of the issue of fact and/or law. If the Commission determines that no material issue of fact or law exists it will issue its decision based upon the findings of the investigation and the parties' responses thereto.

e) After the completion of a hearing---a---proposal---for---decision---by---the hearing officer---shall be served upon the parties---The filing of the parties' response---shall be in accordance with Section 1.150---of---this part.

CIVIL SERVICE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

(Source: Amended at 19 Ill. Reg. AUG 21 1995)

Section 1.120 Appeal of Geographical Transfers

a) In appeals to the Commission from permanent transfers from one geographical area in the State to another, the employee shall have the burden of introducing sufficient, competent, and credible evidence showing that the transfer was unreasonable, unjust, or capricious and was not a bona fide attempt to serve the best interests of the operating agency.

b) Under normal circumstances, a transfer of an employee for a period in excess of 60 days will be considered a permanent transfer.

c) The appeal of geographical transfer shall be filed with the Commission within 15 days of the date the employee is required to report to the new location.

d) After the completion of the hearing---a---proposal---for---decision---by---the hearing officer---shall be served upon the parties---The parties shall file written comments and arguments before the Commission renders its final decision---The filing of the parties' response---shall be in accordance with Section 1.150---of---the Part.

(Source: Amended at 19 Ill. Reg. AUG 21 1995)

Section 1.130 Appeals of Disciplinary Action or Demotion

a) A certified employee who has been served with written charges approved by the Director of Central Management Services for removal, discharge, demotion, or suspension for a period of more than 30 days within a twelve-month period, may appeal to the Civil Service Commission. Such appeal shall be in writing and filed with the Commission within 15 days of receipt of such approved charges.

b) After the completion of the hearing---a---proposal---for---decision---by---the hearing officer---shall be made to the parties---The parties may then file written comments and arguments before the Commission renders its final decision---The filing of the parties' response---shall be in accordance with Section 1.150---of---this Part.

b) Employees whose positions are subject to collective bargaining agreements may appeal disciplinary actions either through the procedure set forth in the agreement or through the Commission but not both.

(Source: Amended at 19 Ill. Reg. AUG 21 1995)

Section 1.140 Response to Proposed Decisions [Renumbered]

CIVIL SERVICE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

(Source: Section 1.140 renumbered to Section 1.302 at 19 Ill. Reg. **12-451**, effective **AUG 21 1995**)

Section 1.141 Collective Bargaining Agreements

The Commission shall give full recognition and effect to provisions of collective bargaining agreements reached under Executive Order 6-6-93--~~Business & Professional Directly Conflicting with the Personnel Code or Rules of the Department of Central Management Services with regard to merit principles or the competitive examination system in which cases the Code or Rate shall prevail relating to wages, hours, and conditions of employment reached under the provisions of the Illinois Public Labor Relations Act (5 ILCS 315).~~

(Source: Section 1.141 renumbered from Section 1.330 and amended at 19 Ill. Reg. **12-451**, effective **AUG 21 1995**)

Section 1.142 Jurisdiction B Exemptions

- a) Before a position shall qualify for exemption from Jurisdiction B under Section 4d(3) of the Personnel Code, the position shall be directly responsible to:
 - 1) The Governor, or
 - 2) A departmental director or assistant director appointed by the Governor, or
 - 3) A board or commission appointed by the Governor, or
 - 4) The head of an agency created by Executive Order, or the director or assistant director of an agency carrying out statutory powers, whose offices are created by the Governor subject to legislative veto under Article V, Section 11, of the Constitution of 1970, which agency head, director, or assistant director may themselves be subject to exemption under Section 4d(3), or
 - 5) In an agency having a statutory assistant director, a deputy director exercising full line authority under the director for all operating entities of the agency, provided the statutory role of assistant director is vacant or is assigned clearly distinct and separate duties from the deputy director and as a colleague to him, or
 - 6) A line position organizationally located between the director and/or assistant director and a subordinate statutorily exempt position(s), provided the position proposed for exemption has line authority over the statutorily exempt position(s), or
 - 7) The elected head of an independent agency in the executive, legislative, or judicial branch of government.
- b) If a position meets the above criterion, it must, in addition, be responsible for one or more of the following before it shall be approved as exempt:
 - 1) Directs programs defined by statute and/or departmental, board, or commission policy or possess significant authority when acting

NOTICE OF ADOPTED AMENDMENTS

in the capacity of a director of programs to bind the agency.

- 2) Makes decisions in exercising principal responsibility for the determination or execution of policy which fix objectives or state the principles to control action toward operating objectives of one or more divisions, such decisions being subject to review or reversal only by the director, assistant director, board, or commission.
- 3) Participates in the planning and programming of departmental, board, or commission activities, integrating the plans and projections of related divisions, and the scheduling of projected work programs of those agencies.
- c) The Commission may upon its own action after 30 days notice to the Director of Central Management Services or upon the recommendation of the Director of the Department of Central Management Services recommend the exemption of any position which no longer meets the requirements for exemption as set forth in subsections (a) and (b) of this Section. However, withdrawal of exemption shall be approved after the Commission has determined that an adequate level of managerial control exists in exempt status which will insure responsive and accountable administrative control of the programs of the agency.
- d) For all positions currently exempt by action of the Commission, the Director of Central Management Services shall inform the Commission promptly in writing of all changes in duties, responsibilities, organization, location, allocation, or identity.
- e) Prior to granting an exemption from Jurisdiction B the Commission will notify the incumbent of the position, if any, of its proposed action, whereupon the incumbent may appear at the Commission meeting at which such action is to be taken and present objections to such exemption.

(Source: Section 1.142 renumbered from Section **1-330** and amended at 19 Ill. Reg. **12-451**, effective **AUG 21 1995**)

Section 1.143 Orders of Compliance

a) The Commission may, from time to time, review and investigate personnel policies, actions, or activities and administrative practices to insure that they are in compliance with the Personnel Code. Such review and investigation will be utilized by the staff in rendering reports to the Commission.

b) Findings by the Commission of probable discrepancies with respect to the Personnel Code or Rules, when communicated in writing to the Director of Central Management Services and the appropriate agency head, are considered as an order to the Director either to correct the probable discrepancy or to furnish an explanation to support a conclusion that a probable discrepancy does not exist. If, within 30 days after receipt of such order, neither appropriate corrective action has been initiated nor a satisfactory explanation has been submitted by the Director, the Commission may record such violations

CIVIL SERVICE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

in the minutes of its meeting and take such other action as is appropriate to correct such violations.

(Source: Section 1.143 renumbered from Section 1.350 at 19 Ill. Reg. 12401, effective AUG 21 1995)

Section 1.145 Appearances – Representation

Parties may choose to represent themselves or be represented by an attorney licensed to practice law in the State of Illinois. An attorney representing a party shall file a written notice of appearance with the Commission identifying the attorney by name, address, telephone and facsimile number, and attorney registration number.

(Source: Added at 19 Ill. Reg. 12451, effective AUG 21 1995)

Section 1.146 Service of Pleadings

- a) Manner of Service. When copies of papers filed with the Commission are required to be served on the opposing party, these copies shall be served either personally or by first class mail.
- b) Proof of Service. Proof that these copies were served on the opposing party must be filed with the papers required to be filed with the Commission. Proof of service shall consist of the statement of the individual making service specifying the manner and date of such service.

(Source: Added at 19 Ill. Reg. 12451, effective AUG 21 1995)

Section 1.147 Appeal Hearing File

After an appeal to the Commission has been filed, an appeal file shall be established which shall contain all documents pertinent to the appeal. Either party to the appeal may inspect the file during regular business hours in the office of the Commission.

(Source: Added at 19 Ill. Reg. 12451, effective AUG 21 1995)

Section 1.150 Filing Procedure – Computation of Time

- a) Filing and Form of Papers
 - 1) The original copy of a complaint, appeal, pleading, written motion, notice or other paper, except for responses to proposed decisions which is governed by Section 1.140, must be filed in the Springfield office of the Commission. Holidays, Saturdays,

CIVIL SERVICE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

and Sundays will be excluded from computing filing dates if the last day for filing falls upon a weekend or legal holiday, in which event the last date for filing would be the first business day subsequent to such weekend or legal holiday.

- 2) Papers shall be signed in ink by the party filing the paper or by his/her party's representative and contain the address of the party, or if represented, the name, business address, and telephone number of such representative. Copies of all filed papers shall be served on all parties to the proceedings, and notice of such service shall be given to the Commission.
- 3) Each document shall show on the first page the caption and case number assigned by the Commission, and shall identify the party on whose behalf the document is filed. The final page of each filed document shall contain the name, address, and telephone number of the attorney or the party if the party is self-represented.

- b) Notice to a designated representative is notice to his client. Notice to an employee who is not represented shall be served at the address specified in the employee's appeal or, in the absence of such specification, to the last address shown in the employee's personnel file.
- c) Computation of Time whenever a time period commences upon a person's receipt of service or notice and service is by mail, receipt shall be presumed to have occurred on the fourth day after mailing.
- d) Filing by Facsimile Filings may be by Facsimile if done in accordance with all other rules in this Part.

(Source: Amended at 19 Ill. Reg. 12451, effective AUG 21 1995)

Section 1.154 Notice, Time, and Place of Hearing

Disciplinary hearings shall be scheduled for hearing within 30 days after the request for hearing is filed with the Commission. At least 10 days notice of the time and date of the first hearing shall be given to all parties. This may, however, be waived in an emergency. Ordinarily, appeals will be heard in the Commission's Chicago or Springfield office, but either party may request another location for the convenience of all parties.

(Source: Added at 19 Ill. Reg. 12451, effective AUG 21 1995)

Section 1.158 Public Hearing – Recording – Confidentiality

- a) All hearings shall be open to the public.

CIVIL SERVICE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

b) Upon motion of either party the hearing may be closed to the public where testimony or exhibits would refer to and reveal matters which constitute an exception to Public disclosure under Section 7(1)(c) of the Illinois Freedom of Information Act [5 ILCS 140/7(1)(c)].
 c) Recording of hearings by devices used by individuals other than the officially designated stenographer or Administrative Law Judge is not allowed.

(Source: Added at 19 Ill. Reg. **12451**, effective
AUG 21 1995)

Section 1.160 Disciplinary Charges and Amendments

a) Charges must be specific enough to apprise the employee of the nature and substance of the cause alleged for discharge. Written charges approved by the Director of Central Management Services seeking an employee's discharge, demotion, or suspension totaling more than 30 days in any twelve-month period, shall contain a specific statement against facts which allege the cause for the proposed action sought against the employee. If a breach of a statutory duty or a rule of the agency is alleged, the statute or rule shall be cited in connection with the charge.
 b) Charges shall be set forth in separately numbered paragraphs and contain the dates, names of persons, places, and facts necessary to properly allege cause.
 c) At any time prior to commencement of hearing or prior to the close of hearing the hearing officer: Administrative Law Judge may upon motion of a party permit amendment of charges if no undue surprise results which would prejudice the opposing party's right to a prompt hearing or impose a substantial injustice on either side.

(Source: Amended at 19 Ill. Reg. **12451**, effective
AUG 21 1995)

Section 1.170 Cause for Discharge

a) Cause for discharge consists of some substantial shortcoming which renders the employee's continuance in his position in some way detrimental to the discipline and efficiency of the service and which the law and sound public opinion recognize as good cause for his employee no longer holding the position.
 b) In addition to cause as defined in (a) of this Section cause for discharge of individuals holding management positions shall consist of:
 i) to manage, organize, plan, execute, control and/or evaluate agency programs and activities; and/or
 2) to initiate new and revised methods and procedures of agency programs; and/or

CIVIL SERVICE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

3) to fulfill all other such requirements which are a part of the managerial process:
 c) Charges for discharge based on causes considered remedial against individuals holding significant managerial positions referred to in this Section shall be preceded by reasonable warning in writing stating specificity the causes which if not remedied will result in charges for discharge being brought against the individual:
 b) In determining the appropriate penalty for an offense of which the employee is found guilty, the Commission shall consider the employee's performance record and the employee's length of continuous service unless the offense would warrant immediate discharge.

(Source: Amended at 19 Ill. Reg. **12451**, effective
AUG 21 1995)

Section 1.180 Conduct of Hearings (Repealed)

a) Witnesses
 Bach-party-at-his-own-expense-may-call-witnesses-to-testify-in-his-own behalf-and-to-have-the-aid-of-representatives-The-parties-may cross-examine-opposing-witnesses-and-present-documentary-evidence-Upon-motion-of-either-party-or-the-hearing-officer-witnesses-may-be excused-from-the-hearing:
 b) Evidence
 The-rules-of-evidence-and-privilege-as-applied-in-civil-cases-in-the Circuit-Courts-of-this-State-shall-be-followed-However-evidence-not admissible-under-such-rules-of-evidence-may-be-admitted-except-where precluded-by-statute-if-it-is-a-type-commonly-referred-upon-by reasonably prudent persons in the conduct of their affairs:
 c) Opening-and-Closing-Statements
 i) Upon-the-opening-of-the-hearing-officer-may-call-the-petitioner-and-the-Respondent-to-make-opening-statements-the-discretion-of-the-hearing-officer:
 ii) Upon-the-close-of-the-hearing-officer-may-side-may-maker-a-closing statement-orally-and/or-by-written-brief-at-the-discretion-of-the hearing-officer-and/Agent
 d) Examination-of-Adverse-Party-or-Agent
 In-the-hearing-of-any-case-any-party-or-his-agent-may-be-called-and examined-as-if-under-cross-examination-at-the-instance-of-any-adverse party-The-party-calling-for-the-examination-is-not-prevented thereby-but-may-rebut-the-testimony-thus-given-by-computer-testimony and-may-impeach-the-witness-by-proof-of-prior-inconsistent-statement:
 e) Hostile-Witnesses
 fe-the-hearing-officer-determines-that-a-witness-is-hostile-or unwilling-the-witness-may-be-examined-by-the-party-calling-him-ag-15 under-cross-examination-the-party-calling-an-occurrence-witness-may upon-showing-that-he-called-the-witness-in-good-faith-but-is-surprised

CIVIL SERVICE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

by--his--testimony--impeach--the-witness--by-proof--of-prior-inconsistent statements.

f) Public Hearings - shall be public---individuals---who--display--disruptive behavior will be excused from the hearing.

g) Practice by Telephone -

Upon request--of--either--party--and--at--the--discretion--of--the--hearing officer motions--conferences--and arguments may be held by telephone conference--cater--in--ruling--on--the--motion--the--hearing--officer--will consider factors--including--but--not--limited--to--potential--savings--of time--expenses--of--travel--and the importance of personal contact.

(Source: Repealed at 19 Ill. Reg. 12451, effective AUG 21 1995)

Section 1.190 Subpoena - Fees and Mileage of Witnesses

a) Upon written request--of--either--side--the--Commission--may--issue subpoenas to compete the production--of--documents--or--persons--having relevance to the issues--of--the--dispute--in--a--contested--case--Witnesses--at--a--hearing--or--investigation--are entitled--to--same--fees and mileage--as--are--allowable--witnesses--in--civil--cases--in--court--of record.

a) Upon written request by a party to a contested case the Commission will issue a subpoena for attendance of a witness or production of books, papers, documents, or other tangible things at a hearing or deposition.

b) Subpoena forms may be obtained by applying to the Executive Director at the Commission's Springfield office.

c) Witness and Mileage Fees - The cost of service and witness and mileage fees shall be borne by the person requesting the subpoena. Witness and mileage fees shall be the same as are paid witnesses in the circuit courts of the State of Illinois.

d) Service and Contents - The person requesting a subpoena shall be responsible for its service. A subpoena shall be served reasonably in advance of its return date. The subpoena shall state the number and address of the person initiating its issuance, and shall identify the person or evidence subpoenaed and the person to whom and the place, date, and the time at which it is returnable.

e) Petition to Quash or Modify - Within five (5) days after service of a subpoena on any person, such person may file a petition to quash or modify said subpoena, stating reasons in support of such relief. A copy of the petition shall be served at the same time on the person serving the subpoena. Whenever a petition to quash a subpoena is properly filed under this Section the petitioner shall not be required to respond to such subpoena until the petition has been ruled upon.

f) Any witness subpoenaed for a deposition may be required to attend only

CIVIL SERVICE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

in the county in which he or she resides or maintains an office address, or in any other place ordered by the Administrative Law Judge.

g) Enforcement - Whenever any person shall knowingly fail or refuse to comply with a subpoena served in accordance herewith, the party serving the subpoena or the Commission shall petition the appropriate circuit court pursuant to the Personnel Code for an order enforcing said subpoena.

(Source: Amended at 19 Ill. Reg. 12451, effective AUG 21 1995)

Section 1.200 Authority of Hearing-Officer Administrative Law Judge

The Hearing-Officer Administrative Law Judge has the authority to conduct a hearing, take all necessary action to avoid delay, maintain order, and insure the development of a clear and complete record. The Hearing-Officer Administrative Law Judge shall have all powers necessary to conduct a hearing including the power to:

- Administer oaths and affirmations;
- Regulate the course of hearings, set the time and place for continued hearings, fix times for filing of documents, provide for the taking of testimony by deposition if necessary, and generally conduct the proceedings according to generally recognized administrative law and this Part;
- Examine witnesses and direct witnesses to testify;
- Limit the number of times any witness may testify, limit repetitive or cumulative testimony and set reasonable limits on the amount of time each witness may testify and be cross-examination-examined;
- Rule upon offers of proof and receive relevant evidence;
- Direct parties to appear and confer for the settlement or simplification of issues, and to otherwise conduct prehearing conferences;
- Dispose of procedural requests or similar matters;
- Render findings of fact, options, conclusions of law and recommendations for an order of the Commission;
- ~~Enter-any-order--that--further-carries-out-the-purpose-of--this--part-~~
- Reprimand or exclude from the hearing any person for indecorous or improper conduct committed in the presence of the Administrative Law Judge;
- Take official notice of generally recognized facts, administrative rules and regulations, and statutes;
- Enter any order that further carries out the purpose of this Part.

(Source: Amended at 19 Ill. Reg. 12451, effective AUG 21 1995)

Section 1.205 Motions

CIVIL SERVICE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

a) Unless made orally on the record during a hearing, all motions shall be in writing and shall briefly state the order or relief requested and the specific grounds upon which relief is sought. Motions based on a matter which does not appear on record shall be supported by affidavit.

b) A written motion shall be served at the same time upon all parties and filed with the Commission's Springfield office.

c) Written motions and responses thereto should set forth the arguments and authorities relied upon to permit the Administrative Law Judge to make a decision without oral argument on the motion. Parties may request a hearing which will be granted or denied based on the need for a hearing according to the decision of the Administrative Law Judge.

d) Within seven (7) days after service of a motion, a participant or party may file a response to the motion. If no response is filed, such participant or party shall be presumed to have waived objection to the granting of the motion, but such waiver of objection does not bind the Administrative Law Judge in the decision on the motion. Unless undue delay or material prejudice would result, the Administrative Law Judge will not grant any motion before expiration of the seven-day response period.

The moving person shall not have the right to reply, except as permitted by the Administrative Law Judge to prevent material prejudice.

e) Upon request of any party, arguments on preliminary motions may be held by telephone conference call.

(Source: Added at 19 Ill. Reg. **12451**, effective **AUG 21 1995**)

Section 1.210 Extensions of Time – Continuances of Hearing – Waivers of Compensation for Continuances

a) The Commission, or a--hearing--officer an Administrative Law Judge appointed by it to conduct a hearing may, for good cause shown on timely motion after notice to the opposite party, extend the time for filing any pleading or paper or may continue the date of a scheduled hearing for a limited period. Granting or denying a continuance of a scheduled hearing is within the discretion of the Commission or its--hearing--officer the Administrative Law Judge.

c) Motions for extensions or continuances are not timely unless asserted at least 48 hours prior to the time scheduled for filing or hearing except for emergency, including but not limited to serious illness, family death or emergency, or act of God relating to the party or the attorney for the party.

d) The granting of a request for continuance by the employee in a discharge appeal will constitute a voluntary waiver by him of any

CIVIL SERVICE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

claim to compensation for the period of such continuance if he is ordered retained in his position.

e) Requests for continuances must be preceded by contacting the opposing party and asking for agreement to the continuance.

f) An employee's request for the first continuance in the case of a disciplinary appeal must be made in writing.

(Source: Amended at 19 Ill. Reg. **12451**, effective **AUG 21 1995**)

Section 1.212 Consolidation

Two or more proceedings may be consolidated on motion of either party or the Administrative Law Judge where the cases involve common issues of law or fact, consolidation would not prejudice the rights of the parties, and consolidation would result in the efficient and expeditious resolution of cases.

(Source: Added at 19 Ill. Reg. **12451**, effective **AUG 21 1995**)

Section 1.216 Qualification of Administrative Law Judge

An Administrative Law Judge shall possess a license to practice law in the State of Illinois.

(Source: Added at 19 Ill. Reg. **12451**, effective **AUG 21 1995**)

Section 1.218 Disqualification of Administrative Law Judge

a) An Administrative Law Judge assigned to a proceeding may, upon written request to and approval of the Executive Director, recuse himself or herself therefrom.

b) Whenever any party believes an Administrative Law Judge for any reason should be disqualified from conducting, or continuing to conduct, a proceeding assigned to him or her, such party may file a motion to disqualify the Administrative Law Judge, setting forth by affidavit the alleged grounds for disqualification. The Administrative Law Judge shall have seven (7) days after filing of the motion within which to enter a written ruling thereon. A copy of such ruling shall be served upon all parties. The Commission may, on its own motion, review rulings denying or granting a motion for disqualification.

(Source: Added at 19 Ill. Reg. **12451**, effective **AUG 21 1995**)

Section 1.220 Discovery

CIVIL SERVICE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

a) Requests for lists of persons having knowledge upon timely request made by either party shall be made to the other party artist of the names and addresses of persons having knowledge of relevant facts.

b) Right to inspect and interview

Any party or their representative shall have the right upon timely motion to inspect any representative documents in the possession of the party under the control of any other party and to interview employees having knowledge of relevant facts interviews of employees and inspection of documents shall be at times and places reasonable for the employee and for the employing agency.

c) Evidence - Reports

By order of the hearing officer the Civil Service Commission may hear any party or any party may cause a deposition of any witness to be taken for use as evidence in a Commission proceeding. The deposition may be taken in the manner provided by law for depositions in civil actions in the other states.

d) Admission of fact or of documents

A party may serve on any other party a written request for the admission by the letter of the truth of any specified statement from another party or witness the request or for the admission of any relevant documents or any relevant documents - documents shall be served on the request unless copies have already been furnished.

Discovery shall be attained through the following methods:

a) Bill of Particulars - An employee who is the subject of disciplinary charges may request additional information regarding the charges. Written demands for relevant information concerning the charges shall be answered within ten (10) days after service unless objected to.

b) Written Interrogatories - A party may direct written interrogatories to any other party. Such interrogatories shall be restricted to the subject matter of the complaint or defense and shall avoid placing undue detail, excessive burden, or expense on the answering party. Within ten (10) days after service the answering party shall serve on the propounding party an answer under oath or affirmation, or an objection to each interrogatory. Where appropriate a document may be served in answer to an interrogatory. Supplemental interrogatories shall not be allowed except on leave of the Administrative Law Judge for good cause shown.

c) Production, Inspection, Copying or Photographing of Documents and Tangible Things - A party, by written request served upon the other parties, may require production for inspection, copying or photographing any document, object or tangible thing which is relevant to the subject matter of the complaint or defense. The party upon whom the request is served shall respond to the request within ten (10) days, stating with respect to each item or category that inspection and related activities will be permitted as required, unless the request is objected to, in which event the reasons for

CIVIL SERVICE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

a) Objection shall be stated.

b) List of Witnesses and Documents - Upon timely request prior to a hearing on the merits, each party to the proceeding shall serve on the other party:

- 1) A list of names and home or work addresses of the witnesses the party proposes to call in its case in chief.
- 2) All documents the party proposes to offer in its case in chief.
- 3) All written or recorded statements of the party's witnesses which may be used by an adverse party for the purpose of cross-examination.

c) Deposition - A party may take discovery depositions either for good cause shown or by agreement. A discovery deposition, taken for good cause or by agreement, may be taken only upon leave of the Administrative Law Judge. No party shall serve a notice of deposition without leave of the Administrative Law Judge.

d) Admission of fact or of Genuineness of Documents - A party may serve on any other party a written request for the admission by the latter of the truth of any specified relevant fact set forth in the request or for the admission of genuineness of any relevant documents described in the request. Copies of the documents shall be served with the request unless copies have already been furnished.

e) Privileges - All matters that are privileged against disclosure in civil cases in the courts of the State of Illinois shall be privileged against disclosure through any discovery procedure hereunder.

f) Limitation of Discovery - At any time the Administrative Law Judge may, on his/her own motion or on motion of any party or witness, make such protective orders as justice and fairness may require, denying, limiting, conditioning or regulating discovery to prevent unreasonable annoyance, expense, embarrassment, disadvantage or oppression.

(Source: Amended at 19 Ill. Reg. 12451, effective AUG 21 1995)

g) Section 1.222 Evidence Depositions

Upon order of the presiding officer or by agreement of the parties, a deposition of any witness may be taken for use as evidence in a Commission proceeding. The depositions may be taken in the manner provided by law for depositions in civil actions in the courts of this State.

(Source: Added at 19 Ill. Reg. 12451, effective AUG 21 1995)

Section 1.224 Prehearing Conference

a) Upon written notice by the Administrative Law Judge in any proceeding, parties or their attorneys may be directed to appear at a specified time and place for a conference, prior to or during the course of

CIVIL SERVICE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

hearing for the purposes of:

- 1) Simplifying the issues;
- 2) Amending the pleadings for clarifications, amplification, or limitation;
- 3) Making admissions of facts or stipulating to the admissibility of any matters to expedite the hearing;
- 4) Limiting the number of witnesses;
- 5) Exchanging prepared testimony and exhibits; and
- 6) Aiding in the simplification of the evidence and disposition of the proceeding.

b) After a prenearing conference, the Administrative Law Judge shall provide all parties with a statement which recites:

- 1) Any ruling on motions or other actions taken by the Administrative Law Judge;
- 2) Any agreements made by the parties as to any of the matters considered; and
- 3) Those issues remaining for hearing.

c) A stenographer may be present to transcribe the proceedings at a prenearing conference. All costs related to the stenographic services shall be borne by the party requesting such service.

(Source: Added at 19 Ill. Reg. **12451**, effective **AUG 21 1995**)

Section 1.226 Stipulations

The parties to any proceeding may, by stipulation in writing filed with the Commission or entered orally in the record, agree upon the facts or any part thereof involved in the proceeding. It is the policy of the Commission to encourage stipulations of fact whenever practicable.

(Source: Added at 19 Ill. Reg. **12451**, effective **AUG 21 1995**)

Section 1.230 Default

Failure of a party to appear on the date set for hearing or failure to file materials or submissions required by this Part or by order of the hearing officer Administrative Law Judge or Commission, shall constitute a default. The hearing officer Administrative Law Judge may upon motion of the party who has appeared or upon his or her own motion dismiss the appeal subject to approval of the Commission.

(Source: Amended at 19 Ill. Reg. **12451**, effective **AUG 21 1995**)

Section 1.232 Burden of Proof

NOTICE OF ADOPTED AMENDMENTS

CIVIL SERVICE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

a) The proponent of any matter asserted shall have the burden of proof to establish by a preponderance of evidence that the matter asserted is more probably true than not true.

b) When a party has the burden of proof and establishes the matter asserted by the required quantity of evidence, the party has made a prima facie case, and the burden of disproving the matter asserted goes to the opposing party by the same quantity of evidence.

(Source: Added at 19 Ill. Reg. **12451**, effective **AUG 21 1995**)

Section 1.233 Evidence

a) Irrelevant, immaterial or unduly repetitious evidence shall be excluded. The rules of evidence and privilege as applied in civil cases in the circuit courts of Illinois shall be followed. However, evidence not admissible under such rules of evidence may be admitted (except where precluded by statute) if it is of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs.

b) Objections to evidentiary offers may be made and shall be noted in the record.

(Source: Added at 19 Ill. Reg. **12451**, effective **AUG 21 1995**)

Section 1.234 Offer of Proof

Any party who has had evidence excluded may make an offer of proof.

(Source: Added at 19 Ill. Reg. **12451**, effective **AUG 21 1995**)

Section 1.235 Exhibits

a) Marking - All exhibits shall be marked by a stenographer designated to record the hearing in numerical order with a party designation.

b) Designation of Part of Document as Evidence - When relevant material matter offered into evidence is included in a book, paper, or document containing other material not relevant, the person offering the same must plainly designate the matter so offered.

(Source: Added at 19 Ill. Reg. **12451**, effective **AUG 21 1995**)

Section 1.236 Order of Hearing

a) The Administrative Law Judge shall open the hearing by explaining the procedure to be followed in the hearing. Upon motion of either party

CIVIL SERVICE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

or at the discretion of the Administrative Law Judge any or all witnesses may be sequestered.

b) Preliminary matters such as objection to charges, disputes involving discovery, stipulation of facts and documents, and scheduling of witnesses may be resolved.

c) Each party shall be given the opportunity to make a brief opening statement identifying the issues and indicating what is to be proven.

d) All witnesses shall testify under oath or affirmation.

e) Each party may conduct such cross-examination as shall be required for a full and true disclosure of the facts. The Administrative Law Judge may also examine witnesses.

f) Before closing the hearing the Administrative Law Judge may allow both parties the opportunity to make brief oral or written closing statements.

(Source: Added at 19 Ill. Reg. 12451, effective AUG 21 1995)

Section 1.237 Hostile Witness

If the Administrative Law Judge determines that a witness is hostile or unwilling, examination of the witness by the calling party may be conducted as if under cross-examination. The party calling an occurrence witness may, upon showing the witness was called in good faith but the calling party is surprised by the testimony, impeach the witness by proof of prior inconsistent statements.

(Source: Added at 19 Ill. Reg. 12451, effective AUG 21 1995)

Section 1.240 Interlocutory Appeal

When in the course of a hearing the hearing-officer Administrative Law Judge finds a question of law, fact, or policy that if resolved by the Commission will materially advance the resolution of the dispute, the hearing-officer Administrative Law Judge on his own motion or the motion of one of the parties may refer the issue to the Commission for resolution.

(Source: Amended at 19 Ill. Reg. 12451, effective AUG 21 1995)

Section 1.250 Past Work Record

In a disciplinary hearing the performance records of the employee or past disciplinary records are relevant for the purpose of mitigation or aggravation of penalty in the event the employee is found guilty of the disciplinary charge.

NOTICE OF ADOPTED AMENDMENTS

NOTICE OF ADOPTED AMENDMENTS

Section 1.270 Authority of Commission to Modify Hearing--Officers' Administrative Law Judge's Decision - Finality of Decision

a) The Commission shall have the authority to affirm, reverse, modify, or set aside in whole or in part the decision of the hearing-officer. Adminisistrative Law Judge.

b) A decision or action of the Commission shall become final at the time it is made in writing and announced at an open and public meeting of the Commission, and cannot be further reviewed by or appealed to the Commission.

c) The Commission's final administrative decision shall be served on the parties or their legal representative by United States mail to the last known address of the party or counsel.

(Source: Amended at 19 Ill. Reg. 12451, effective AUG 21 1995)

Section 1.280 Record of Proceedings

Section 1.280 Record of Proceedings

a) Proceedings --in--at--contested--cases--shall--be--recorded gratis--for--its--a-party-to--the--proceedings--shall--arrange--for--its--transcription-and-filing-of-the--record-in-the Springfield office of the Commission unless such requirement is waived by the Commission or its hearing-officers-at-a-prestat-conference.

a) Whenever a hearing is held under the Code or these rules, it shall be recorded by stenographic or other means which adequately preserves the record. The Administrative Law Judge, or Commission may order that the recording be transcribed. The agency which is a party to the hearing shall bear the costs of the stenographer and original transcript. The written record of the proceeding shall be filed with the Commission within ten days of the receipt of the transcript or the final hearing by either the agency or its representative. Written notice of filing shall be served on all parties to the proceedings.

b) The written record of the proceeding shall be filed with the Commission within ten days of the receipt of the transcript or the final hearing by either the agency or its representative. Written notice of filing shall be served on all parties to the proceedings. Any such record will be available for examination by the public at reasonable times in the Springfield office; and, upon written request made at least forty-eight (48) hours (exclusive of Saturdays, Sundays, and official State holidays) in advance, the Commission will make any such record available for examination at its Springfield Chicago office.

(Source: Amended at 19 Ill. Reg. 12451, effective AUG 21 1995)

CIVIL SERVICE COMMISSION
NOTICE OF ADOPTED AMENDMENTS

Section 1.290 Remandment

Until the decision in a case is final, the Commission may remand it to the hearing officer Administrative Law Judge for the purpose of taking additional evidence.

(Source: Amended at 19 Ill. Reg. **12451**, effective **AUG 21 1995**)

Section 1.300 Administrative Review

All final decisions of the Commission shall be subject to appeal by the parties to the proceedings under the "Administrative Review Act" (Ill. Rev. Stat. §901, 1991, ch. 110, pars. 3-101 et seq.) [735 ILCS 5/Art. III] by the filing of a complaint and the issuance of summons within 35 days from the date that a copy of the Commission decision was served upon the party affected thereby. A decision is deemed to have been served either when personally delivered or when deposited in the United States mail in a sealed envelope or package, with postage prepaid, addressed to the party affected thereby at his last known residence or place of business.

(Source: Amended at 19 Ill. Reg. **12451**, effective **AUG 21 1995**)

Section 1.301.302 Response to Proposed Decisions

- a) In a contested case where the members of the Commission have not heard the case or read the record, the findings and decision of the hearing officer Administrative Law Judge appointed by the Commission to conduct the hearing or the results of the investigation shall be mailed to the parties prior to the Commission rendering a final decision.
- b) Five-Six copies of the response shall be filed in the Springfield office of the Commission. The responses shall be accompanied by proof that a copy of the response was served upon the opposing side.

(Source: Section 1.302 renumbered from Section 1.140 and amended at 19 Ill. Reg. **12451**, effective - **AUG 21 1995**)

Section 1.320 Classification Plan (Renumbered)

(Source: Section 1.320 renumbered to Section 1.45 at 19 Ill. Reg. **12451**, effective - **AUG 21 1995**)

Section 1.330 Collective Bargaining Agreements (Renumbered)

(Source: Section 1.330 renumbered to Section 1.141 at 19 Ill. Reg. **12451**, effective **AUG 21 1995**)

CIVIL SERVICE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

Section 1.340 Jurisdiction B Exemptions (Renumbered)

(Source: Section 1.340 renumbered to Section 1.142 at 19 Ill. Reg. **12451**, effective **AUG 21 1995**)

Section 1.350 Orders of Compliance (Renumbered)

(Source: Section 1.350 renumbered to Section 1.143 at 19 Ill. Reg. **12451**, effective **AUG 21 1995**)

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Hospital Price Information2) Code Citation: 77 Ill. Adm. Code 25303) Section Numbers: Adopted Action:

2530.40

2530.Appendix B

Repealed

4) Statutory Authority: Section 4-4 of Article IV and authorized by Section 2-3 of Article II of the Illinois Health Finance Reform Act [20 ILCS 2215/4-4 and 2-3]5) Effective Date of Rulemaking: August 21, 19956) Does this rulemaking contain an automatic repeal date? No7) Does this rulemaking contain incorporations by reference? No8) Date Filed in Agency's Principal Office: August 18, 19959) Notice of Proposal Published in Illinois Register: April 28, 1995, 19 Ill. Reg. ¶ **6091**10) Has JCAR issued a Statement of Objections to these rules? No11) Difference(s) between proposal and final version: None12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes13) Will this rule replace an emergency rule currently in effect? No14) Are there any amendments pending on this Part? No15) Summary and Purpose of Rulemaking: These amendments change the rules to be consistent with recent changes to the Illinois Health Finance Reform Act. These changes enable the agency to apply criminal penalties to all intentional breaches of patient confidentiality by hospitals or other entities that are not authorized by the agency or statute.16) Information and questions regarding these adopted amendments shall be directed to:

Britt Hagen
Deputy Executive Director
Illinois Health Care Cost Containment Council
4500 South Sixth Street Road

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

NOTICE OF ADOPTED AMENDMENTS

Suite 215
Springfield, IL 62703-5118
(217) 786-7001The full text of the Adopted Amendment begins on the next page:

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

NOTICE OF ADOPTED AMENDMENTS

TITLE 77: PUBLIC HEALTH

CHAPTER XI: ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

PART 2530

HOSPITAL PRICE INFORMATION

Section	Price Information
2530.10	Posting Price Information
2530.20	Size and Place of Posting
2530.30	Reporting Information
530.40	APPENDIX A Current Established Charges For Services
APPENDIX B	Report of Current Charges for Outpatient Services and Procedures (Repealed)

AUTHORITY: Implementing Section 4-4 of Article IV and authorized by Section 2-3 of Article II of the Illinois Health Finance Reform Act [20 ILCS 2215/4-4 and 2-3].

SOURCE: Adopted at 9 Ill. Reg. 12764, effective August 5, 1985; amended at 12 Ill. Reg. 20089, effective November 21, 1988; amended at 15 Ill. Reg. 1821, effective January 29, 1991; emergency amendment at 17 Ill. Reg. 14172, effective August 10, 1993, for a maximum of 150 day; emergency expired on January 7, 1994; amended at 18 Ill. Reg. 5343, effective March 21, 1994; amended at 19 Ill. Reg. 12478, effective AUG 21 1995.

Section 2530.40 Reporting Information

Hospitals shall notify the Council annually of the prices posted pursuant to Section 2530.20 of this Part. Additionally, hospitals shall report the prices of those inpatient and outpatient services and procedures identified by the Council ~~in Appendix D~~ as well as the number of available beds on June 30 of the current calendar year, December 31st-of-the-previous-year the number of inpatient in-patient days provided in the previous calendar year, and the total inpatient in-patient revenues and the total outpatient outpatient revenues for the twelve months ending June 30 of the current calendar year ~~previous-year~~. The information required to be submitted pursuant to this Part shall be submitted on a form provided (with the accompanying instructions) to the hospital by the Council. The information shall be submitted by August 31 of the current calendar year ~~February 28th--of the following calendar year~~. The Council shall designate a committee to annually review the inpatient and outpatient outpatient services and procedures reported by hospitals. The committee shall make annual recommendations prior to May 1 ~~September~~ to the Council regarding the reporting of the twenty most relevant inpatient and outpatient services and procedures to be collected and disseminated in the current following year. The Council may designate additional inpatient and outpatient services and procedures, or may delete specific outpatient services and procedures, to be

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

NOTICE OF ADOPTED AMENDMENTS

reported.

(Source:	Amended at	19	Ill.	Reg.	<u>12478</u> ,
	<u>AUG 21 1995</u>)			

effective

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

NOTICE OF ADOPTED AMENDMENTS

Section 2530. APPENDIX B Report of Current Charges for Outpatient Services and Procedures (Repealed)

SERVICES-TO-BE-REPORTED

PROBLEMS-TO-BE-REPORTED

PROCEDURES-TO-BE-REPORTED

B-6-E-(Non-Obstetrical)

ARTHROSCOPY--knee

EXCISION-of-Bunion-and-Bunionette

OUT-PATIENT-SERVICES-AND-PROBLEMS-TO-BE-REPORTED

REPORT-SERVICES

Services--State--the-most-common-price-for-the-following-services-as-listed-on

the-hospital-charge-master-as-of-December-31-19-

17- Mammography:

State--the-most-common-price-for-a-mammography-test-(bilateral-view)

27- Computerized-axial-tomography-of-head-

State--the-most-common-price-for-a-CT-scan-of-the-head:

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

NOTICE OF ADOPTED AMENDMENTS

NOTICE OF ADOPTED AMENDMENTS

37- Upper-GI-Series

State-the-most-common-price-for-an-Upper-GI-Series-

47- HIV-(HIV-III)-Antibody-Detection-Immunoassay-(ELISA)-

State-the-most-common-price-for-a-HIV-(HIV-III)-Antibody-Detection

57- Immunoassay-(ELISA)-Test:

HIV-(Western-Biot)-Confirmatory:

State-the-most-common-price-for-a-HIV-(Western-Biot)-Confirmatory-Test:

REPORT-PROBLEMS

67- Calculate--and-state--the-mean--charge--for--each--of--the-following-eight-to-

out-patient-procedures-performed-as-listed-below--by--a--specific-FEB-9-EM--or

EPY-4--Code--The-charges--so-arranged-are-to-represent-the-charges-billed

on-the-hospital-YB-02-form-for-out-patient-procedures-performed--December-1-19

of--the--calendar--year--The-following-definition-shall-be-used-in-calculating

each-coded-procedures-mean-charge:

Total-Aggregate-Charge-Per-Code-Procedure = Mean-Average

Total-number-of-such-coded-procedures-performed

Procedures-to-be-reported--FEB-9-EM-means-procedures-as-described-in

the-International-Classification-of-Diseases--Tenth-Revised-Clinical

Modification--Annotated--Edition--Bighth---Printing--October-1990

Published--by--the-United-States-National-Center-for-Health-Statistics

and-does-not-include-any-inter-amendments-or-editions--EPY-4--means

Procedures--as-described-in-Physicians-Current-Procedure--Terminology

Fourth-Edition-EPN-1990--November-1989--published--by--the-American

Medical-Association--and--does--not--include--any-inter-amendments-or

editions--

77- FEB-9-EM-69-09-OR-EPY-4-50120-B-6-C-(Non-obstetrics)

27- FEB-9-EM-80-26-with-or-without-00-36--EPY-4-29070-Arthroscopy--Knee

37- FEB-9-EM-57-32-57-33-Biopsy-OR-EPY-4-52000-52007-Gastroscopy

47- FEB-9-EM-20-2-OR-EPY-4-42026-Tonsillectomy-without-Adenoideectomy

57- FEB-9-EM-20-3-OR-EPY-4-42021-Tonsillectomy-with-Adenoideectomy

67- FEB-9-EM-13-11-13-59-OR-EPY-4-66030-66044-Capsular-Extraction-of-bens

(Teattract-removal)

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

NOTICE OF ADOPTED AMENDMENTS

7- feB-9-EM-41-3i-or-EPF-4-05095-or-85t02-Bone-Marrow-(Biopsy/Aspirations)
 8- feB-9-EM-77-5i-77-59-or-EPF-4-20290-20299-and-2030-Excision-of-Bunion
 and-Bunionette

(Source: Repealed at 19 Ill. Reg. **12478**, effective AUG 21 1995)

NOTICE OF ADOPTED AMENDMENTS

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Penalties

2) Code Citation: 77 Ill. Adm. Code 2540

3) Section Numbers: Adopted Action:
Amendment
2540.10

4) Statutory Authority: Section 2-3 of Article II of the Illinois Health Finance Reform Act [20 ILCS 2215/Art. V and 2-3]

5) Effective Date of Rulemaking: August 21, 1995

6) Does this rulemaking contain an automatic repeal date? No

7) Does this rulemaking contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: August 18, 1995

9) Notice of Proposal Published in Illinois Register: April 28, 1995, Issue 17, Page 6098

10) Has JCAR issued a Statement of Objections to these rules? No

11) Difference(s) between proposal and final version: Deleted ILCS citation on lines 23-24 and added ILCS citation on line 29

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this rulemaking replace an emergency rule currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Rulemaking: These amendments change the rules to be consistent with recent changes to the Illinois Health Finance Reform Act. These changes enable the agency to apply criminal penalties to all intentional breaches of patient confidentiality by hospitals or other entities that are not authorized by the agency or statute.

16) Information and questions regarding this adopted amendment shall be directed to:

Name: Britt Hagen,
 Deputy Executive Director
 Illinois Health Care Cost Containment Council
 Address: 4500 South Sixth Street Road
 Suite 215
 Springfield, Illinois 62703-5118

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

NOTICE OF ADOPTED AMENDMENTS

Telephone: 217/786-7001

The full text of the Adopted Amendment begins on the next page:

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

NOTICE OF ADOPTED AMENDMENTS

TITLE 77: PUBLIC HEALTH

CHAPTER XI: ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

PART 2540
PENALTIES

Section
 2540.10 Criminal Penalties
 2540.20 Referral to State's Attorney
 2540.30 Request for Injunction

AUTHORITY: Implementing Article V and authorized by Section 2-3 of Article II of the Illinois Health Finance Reform Act [20 ILCS 2215/Art. V and 2-3].

SOURCE: Adopted at 9 Ill. Reg. 12778, effective August 5, 1985; amended at 12 Ill. Reg. 6114, effective March 21, 1988; emergency amendment at 16 Ill. Reg. 19223, effective November 25, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 9713, effective June 10, 1993; amended at 19 Ill. Reg. AUG 21 1995, effective AUG 21 1995.

Section 2540.10 Criminal Penalties

a) Any individual hospital or other organization or entity willfully violating the provisions of the Illinois Health Finance Reform Act [20 ILCS 2215] or this Chapter promulgated by the Council, shall be guilty of a business offense punishable by a fine of \$10,000 and each day such violation shall constitute a separate offense. These penalties apply to all intentional breaches of patient confidentiality not authorized by statute or the Council. ~~Part-6505-27~~

b) The State's Attorney of the county in which the violation occurred, or the Attorney General, shall, upon the request of the Council, bring an action for an injunction against any hospital violating the provisions of the Act. [20 ILCS 2215/5-2]

(Source: Amended at 19 Ill. Reg. AUG 21 1995, effective 12485,
 effective AUG 21 1995)

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Veterinary Medicine and Surgery Practice Act of 1994
- 2) Code Citation: 68 Ill. Adm. Code 1500
- 3) Section Numbers:
1500.51 New Section

1500.51.1 Statutory Authority: The Veterinary Medicine and Surgery Practice Act of 1994 [225 ILCS 115].
- 4) Effective Date of Amendments: August 18, 1995
- 5) Does this rulemaking contain an automatic repeal date? No
- 6) Do these Amendments contain incorporations by reference? No
- 7) Date Filed in Agency's Principal Office: August 18, 1995
- 8) Date Notice of Proposal Published in Illinois Register: June 2, 1995, at 19 Ill. Reg. 7296
- 9) Has JCAR issued a Statement of Objections to these amendments? No
- 10) Difference(s) between proposal and final version: There were no substantive changes between the proposed and final versions.
- 11) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 12) Will these Amendments replace Emergency Amendments currently in effect? No
- 13) Are there any Amendments pending on this Part? No
- 14) Summary and Purpose of Amendments: The sunset rewrite of the Veterinary Medicine and Surgery Practice Act (P.A. 88-1424, certified August 20, 1993, and effective January 1, 1994) requires the Department of Professional Regulation to establish by rule a program of care, counseling or treatment for impaired veterinarians. This rulemaking establishes that a veterinarian who has been determined by a qualified health care professional to be impaired shall enter into an agreement with the Department in which the veterinarian agrees to participate in a program designed to provide care and treatment specifically for health care professionals.
- 15) Information and questions regarding this amended part shall be directed to:

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

Department of Professional Regulation
Attention: Jean Courtney
320 West Washington, 3rd Floor
Springfield, Illinois 62786
217/785-0800 Fax #: 217/782-7645

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

TITLE 68: PROFESSIONS AND OCCUPATIONS
 CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
 SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1500
 VETERINARY MEDICINE AND SURGERY PRACTICE ACT OF 1994

Section	Approved Veterinary Medicine and Surgery Programs
1500.5	Application for Examination by Graduates of Approved Programs
1500.10	Application by Graduates of Unapproved Programs
1500.11	Temporary Permit
1500.15	Examination
1500.20	Continuing Education
1500.25	Endorsement
1500.30	Restoration
1500.35	Renewals
1500.40	Standards of Professional Conduct
1500.45	Impaired Veterinarian Program of Care, Counseling or Treatment
1500.50	Advertising
1500.55	Conduct of Hearings (Repealed)
1500.60	Annual Report of Board
1500.65	Granting Variances
1500.70	

AUTHORITY: Implementing the Veterinary Medicine and Surgery Practice Act of 1994 [225 ILCS 115] and authorized by Section 60(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/60(7)].

SOURCE: Rules and Regulations promulgated for the Administration of the Illinois Veterinary Medicine and Surgery Practice Act, effective January 1, 1984; amended at 2 Ill. Reg. 23, p. 13, effective June 10, 1978; codified at 5 Ill. Reg. 11070; amended at 6 Ill. Reg. 23, effective January 30, 1982; Part repealed, new Part adopted at 9 Ill. Reg. 16327, effective October 10, 1985; amended at 11 Ill. Reg. 20966, effective December 9, 1987; transferred from Chapter I, 68 Ill. Adm. Code 500 (Department of Registration and Education) to Chapter VII, 68 Ill. Adm. Code 1500 (Department of Professional Regulation) pursuant to P.A. 85-225, effective January 1, 1988, at 12 Ill. Reg. 2922; amended at 13 Ill. Reg. 3826, effective March 10, 1989; amended at 15 Ill. Reg. 16702, effective October 30, 1991; amended at 18 Ill. Reg. 11212, effective June 30, 1994; amended at 19 Ill. Reg. **12488**, effective **AUG 18 1995**.

Section 1500.51 Impaired Veterinarian Program of Care, Counseling or Treatment

- a) Section 24.1 of the Act requires the Department to establish a program of care, counseling or treatment for impaired veterinarians.
- b) Definitions
- i) "Impaired veterinarian" means a veterinarian who is unable to

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

practice veterinary medicine with reasonable skill and safety because of a physical or mental disability as evidenced by a written determination or written consent based on clinical evidence, including deterioration through the aging process, loss of motor skills, or abuse of drugs or alcohol of sufficient degree to diminish a person's ability to deliver competent patient care.

- 2) "Program of care, counseling, or treatment" means a written schedule of organized treatment, care, counseling, activities, or education satisfactory to the Board, designed for the purpose of restoring an impaired person to a condition whereby the impaired person can practice veterinary medicine with reasonable skill and safety of sufficient degree to deliver competent patient care. [225 ILCS 115/24.1]
- c) Program of Care, Counseling or Treatment
 - i) A veterinarian who has been determined by a qualified health care professional to be impaired shall enter into an agreement with the Department in which the veterinarian agrees to participate in a program designed to provide care and treatment specifically for health care professionals and which has been approved by the Department. The agreement may include, but not be limited to, the length of the program, the status of the licensee while in a treatment program, and a termination clause whereby both parties may terminate the agreement at any time.
 - ii) All progress reports of treatment and participation in a treatment program shall be sent to the Department every 60 days. A relapse or non-compliance with the treatment program shall be reported to the Department immediately. All reports shall be signed by a licensed physician, clinical psychologist, licensed clinical social worker, licensed professional counselor or clinical professional counselor or other substance abuse professional approved by the Department.
 - iii) An impaired veterinarian shall continue in an after care program until he/she is released upon successful completion of the structured treatment program.
 - iv) If a veterinarian is being treated for alcohol or drug abuse:
 - A) The person shall submit progress reports from any sponsors in Narcotics Anonymous or Alcoholics Anonymous or other after care programs to the Department on a quarterly basis.
 - B) The person shall submit to random drug and alcohol screenings and the results shall be submitted to the Department by the treatment program. The impaired veterinarian is responsible for the cost of such reports. The Department shall be notified immediately by the treatment program if the person fails to submit to the random drug and alcohol screenings.
- d) All reports required shall be submitted to the Probation Compliance Supervisor, Illinois Department of Professional Regulation, 100 West

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

Randolph Street, Suite 9-300, Chicago, Illinois 60601.

e] The contents of any report shall be strictly confidential and shall be exempt from public disclosure. The reports shall be reviewed only by the following:

- 1) The Veterinary Licensing and Disciplinary Board.
- 2) Designated Department attorney(s).
- 3) Administrative personnel assigned to open mail containing reports and to process and distribute the reports to authorized persons, and to communicate with senders of reports.
- 4) The individual who is the subject of the report, his/her attorney or his/her authorized representative.
- 5) The reports may also be handled or processed by other designated persons in a limited manner necessary to implement reports required under the Act or this Section by computer, word processing equipment or other mechanical means. The data record shall be limited to the name and address of the originator of the report, the date the initial report was received, the date of the most recent report and the professional licensure number of the subject of the report.
- 6) The contents of the confidential reports relating to impaired persons shall not be used or made available in any other administrative proceedings before the Department of Professional Regulation or any other department; however, violations of the treatment or supervision plan will result in a review of the person's status by the Veterinary Licensing and Disciplinary Board or its designee for possible discipline or revision in the treatment program. The reports shall not be disclosed, made available or subject to subpoena or discovery proceedings in any civil or criminal court proceedings.
- h] Upon determination by the Board that a report(s) on an impaired person is no longer required for review and consideration, the Board shall notify the maker of the reports to cease sending the reports, and the Board and Department records shall be purged of information contained in the reports. Such determinations shall be based on, but not be limited to: the type of impairment and the type of rehabilitation program, length of supervision, occurrence of any relapses and present status of the license.

(Source: Added AUG 18 1995 19 Ill. Reg. 12488, effective 12488)

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Public Library Construction Grants

2) Code Citation: 23 Ill. Adm. Code 3060

3) Section Numbers:

Amendment	Proposed Action:
3060.400	New Section
3060.800	
3060.900	
3060.1100	

4) Statutory Authority: Implementing Section 3 of the Capital Development Bond Act of 1972 (30 ILCS 420/3) and authorized by Sections 3 and 8 of the Illinois Library System Act (75 ILCS 10/3 and 8)

5) Effective Date of Rules Amendments: August 22, 1995

6) Does this rulemaking contain an automatic repeal date? No

7) Does this amendment contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: August 22, 1995

9) Notice of Proposal Published in Illinois Register: April 21, 1995, 19 Ill. Reg. 5982.

10) Has JCAR issued a Statement of Objections to this Rule? No

11) Differences Between Proposal and Final Version: A new subsection was added in 3060.800 that requires applicant libraries to submit an assurance that adequate methods of obtaining competitive bidding will be employed prior to awarding architectural, engineering and land surveying contracts and that the award of contracts will be made in accordance with the Local Government Professional Services Selection Act.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Not applicable. No

13) Will this rule replace an emergency rule currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Rule: Requires libraries and library systems applying for construction grants to include assurances that the library will expend the grant funds within twelve months of execution of the grant agreement, that the library will secure a fidelity bond naming the Secretary of State's Office as the exclusive beneficiary, and that any interest earned on the grant funds will be expended exclusively on the

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

subject construction project. Financial reports must include interest earned on grant funds and expenditures made from grant funds and interest. Provides a schedule for disbursement of grant funds. The amended rules require applicant librarians to submit an assurance that adequate methods of obtaining competitive bidding will be employed prior to awarding architectural, engineering and land surveying contracts and that the award of contracts will be made in accordance with the Local Government Professional Services Selection Act.

16) Information and questions regarding this adopted amendment shall be directed to:

Kathleen Bloomberg
Associate Director for Administration
Illinois State Library
300 S. Second Street
Springfield, IL 62701-1796
(217) 785-0052 or Fax: (217) 782-6662
Internet: kbloombalibrary.sos.state.il.us

The full text of the adopted amendments begins on the next page:

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE B: CULTURAL RESOURCES
CHAPTER I: SECRETARY OF STATE

PART 3060
PUBLIC LIBRARY CONSTRUCTION GRANTS

SUBPART A: INTRODUCTION

16) Information and questions regarding this adopted amendment shall be directed to:

Section
3060.100 Program Purpose
3060.200 Duty to Administer
3060.400 Definitions

SUBPART B: GRANT APPLICATION

Section
3060.500 Priorities in Library Grant Construction Proposals
3060.600 Grant Funding Limitations
3060.700 The Chicago Public Library Branches
3060.800 Grant Application Procedure
3060.900 Requirements and Conditions of Grant Funds
3060.100 Remodeling for Accessibility
3060.1100 Disbursement of Grant Funds

SUBPART C: APPEAL PROCEDURE

Section
3060.2000 Appeal Procedure

APPENDIX A EDA Qualified Areas (Repealed)

AUTHORITY: Implementing Section 3 of the Capital Development Bond Act of 1972 [30 ILCS 420/31] and authorized by Sections 3 and 8 of the Illinois Library System Act [75 ILCS 10/3 and 8].

SOURCE: Emergency rules adopted and codified at 7 Ill. Reg. 2017, effective January 28, 1983, for a maximum of 150 days; emergency expired June 27, 1983; adopted at 8 Ill. Reg. 2510, effective February 10, 1984; Part repealed, new part adopted by emergency action at 9 Ill. Reg. 4560, effective March 20, 1985, for a maximum of 150 days; emergency expired August 17, 1985; Part repealed, new part adopted at 9 Ill. Reg. 1500, effective September 25, 1985; emergency amendment at 9 Ill. Reg. 17885, effective November 4, 1985, for a maximum of 150 days; emergency expired April 3, 1986; amended at 10 Ill. Reg. 2002, effective November 19, 1986; amended at 12 Ill. Reg. 11264, effective July 1, 1988; emergency amendment at 17 Ill. Reg. 18687, effective October 12, 1993, for a maximum of 150 days; ~~Reg. 4906, effective March 14, 1994; amended at 19 Ill. Reg. 12493-8~~ **Reg. 4906, effective March 14, 1994; amended at 19 Ill. Reg. 12493-8**, effective **AUG 22 1995**.

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

SUBPART A: INTRODUCTION

Section 3060.400 Definitions

For the purposes of this Part:

"Act" means the Illinois Library System Act [75 ILCS 10].

"Application round" means the period in which applications for grants are available to prospective applicants and completed applications are reviewed and grants awarded. ~~If-additional-monies-remain-after-the first-application-round is held-in-the-fall-for-a-second-application-round in-the-spring-must-be-held- prospective grant applicants may apply during any either round offered or-both-rounds.~~

"Appropriation" means the amount of funds actually approved by the General Assembly for a particular fiscal year and allocated to fund the construction grant program under Section 8 of the Illinois Library System Act.

"Construction" includes, but is not limited to:

The construction of new public library and library systems under Section 8 of the Illinois Library System Act.

The acquisition, expansion, remodeling and/or alteration of existing buildings.

The purchase of initial equipment for new buildings or existing buildings which are being expanded, remodeled, or altered, under this grant.

Any combination of such activities (including architect's fees and the cost of the site if acquired in the last 2 years).

"Equipment" includes:

Machinery, utilities and built-in equipment and any necessary enclosures or structures to house them, and all other items necessary for the functioning of a particular facility as a library or as a library system facility. By way of illustration, "equipment" includes, for example, fixtures, furnishings, shelving, and carpeting. "Equipment" does not include, for example, books, periodicals, films, or recordings.

"Intersystem reciprocal borrowing" means reciprocal borrowing transactions involving a lending library and a patron registered as a borrower at a library in another system.

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

"Library" means a tax-supported public library within an Illinois Library System. "Library" also means a branch library of a main library facility.

"Library system" means an organization defined at Section 2 of the Library System Act [75 ILCS 10].

"Political unit" refers to the local governing authority.

"State fiscal year" means the period from July 1 through June 30.

12493, effective
(Source: Amended at 19 Ill. Reg. AUG 22 1995)

SUBPART B: GRANT APPLICATION

Section 3060.800 Grant Application Procedure

The following application procedures shall apply:

- a) An "Intent to Apply" letter shall be submitted to the respective Regional Planning Commission in advance of the application for a construction grant. A copy of the reply from the applicable Regional Planning Commission and a copy of the "Intent to Apply" letter shall be submitted to the Illinois State Library.
- b) The Illinois State Library shall issue application forms for library construction grants under this program.
- c) Applying libraries and library systems shall submit the completed library construction grant application together with the following documents or written assurances to be eligible for library construction grants:

- 1) An assurance that the real estate affected by the proposed construction is available to the library or library system.
- 2) The legal description of the affected real estate.
- 3) An assurance that other funds are available or how they will be secured by the library. Funds which will be available upon the grant award may include a mortgage commitment letter from a lender or a promise to donate funds. Assurances from the applicant that various fund-raising activities will be undertaken in the future, where the amount to be raised remains uncertain, shall not be counted as part of the local matching funds for the purposes of Section 3060.100.

- 4) An assurance that the library will expend Secretary of State library construction grant funds within 12 months after the execution of the grant agreement.
- 5) A building program including preliminary construction plans.
- 6) A site plan of the proposed building.
- 7) An estimated cost per square foot (for additions and new construction).

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

8)††† A statement describing the necessity for the proposed project.
9)††† A statement of plans to meet existing library standards of service ("Avenues to Excellence II: Standards for Public Library Service in Illinois" - Chicago IL, Illinois Library Association, 1989). The material incorporated by reference includes no later amendments or editions. This subsection shall not apply to library systems.

10)††† A description of the project's potential contribution to the improvement of library services within the library's area of service and in any other portions of the State.

11) An assurance that the library will secure a fidelity bond naming the Office of the Illinois Secretary of State as the exclusive beneficiary in an amount equal to 1.25 times the grant award.

12)††† An assurance that construction work will be performed by the lump sum (fixed price) contract method.

13)††† An assurance that adequate methods of obtaining competitive bidding will be employed prior to awarding the construction contract, either by public advertising or circularizing three or more bidders, and that the award of the contract will be made to the responsible bidder submitting the lowest acceptable bid.

14)††† An assurance that all laborers and mechanics employed by the contractor or subcontractors on all construction projects assisted by the Act shall be paid wages at rates not less than those prevailing on similar construction in the locality, as determined by the Illinois Department of Labor in accordance with the Prevailing Wage Act (820 ILCS 130).

15)††† An assurance that a copy of the building permit shall be supplied to the Illinois State Library prior to the actual construction and that the permit shall be posted in a prominent place on the construction site.

16)††† An assurance that all contractors and subcontractors shall comply with the provision of the Copeland Anti-Kick Back Act (40 U.S.C. 276c (1982)) supplemented in U.S. Department of Labor regulations (29 CFR 3 (1985)). The material incorporated by reference includes no later amendments or editions.

17)††† An assurance that contractors and subcontractors shall comply with all applicable provisions of the Illinois Human Rights Act [75 ILCS 5] and all Federal and State laws, rules, and regulations which prohibit discrimination because of race, color, religion, sex, marital status, national origin, ancestry, age, and physical or mental handicap.

18)††† An assurance that architectural, engineering and land surveying contracts will be made in accordance with the Local Government Professional Services Selection Act [50 ILCS 510].

19) An assurance that construction contracts signed by both the library board (or library system board) and contractors will be prepared on standard American Institute of Architecture (AIA) forms that are submitted to the Illinois State Library prior to

the start of construction; also, all subcontractors are to perform work in accordance with the conditions and standards contained in the contracts signed by the board and the Illinois State Library. The Illinois State Library shall have the right to disapprove any such contracts between the library board or library system board and contractors if:

A) The bidding procedure outlined in subsection (c)(11) was not followed.

B) The conditions and standards specified in the contract between the Illinois State Library and the library board are not incorporated into the contracts between the library board or library system board and the contractors.

20)††† An assurance that a revised budget will be prepared after bids have been accepted and will be submitted to the Illinois State Library for approval prior to actual construction. Such approval will be based on the exercise of professional judgment to insure that the provision of library services will not be harmed by the changes reflected in the revised budget. Such approval will also be based on the reduction in the contingency line item from ~~five percent~~-~~5%~~ to ~~two--percent--t~~ ~~2%~~ of total project cost in the original budget to ~~two--percent--t~~ ~~2%~~ of total project cost in the revised budget. Grant monies awarded are based on the amount specified in the original budget; grant awards will not be increased because of subsequent increases in revised budgets.

21)††† An assurance that a plaque will be placed in the completed building stating that State funds administered by the Secretary of State and State Librarian were used for the building's construction.

22)††† An assurance that permits any agent authorized by the Illinois State Library, upon presentation of credentials to, in accordance with the constitutional limitation on administrative searches, have full access to and the right to examine any records, books, papers, or documents, of the grantee involving transactions related to the grant.

23)††† An assurance that the construction will commence within ~~one hundred--forty--t~~ ~~140+~~ days after ~~the effective date of the grant contract, and that the Project will be completed within a reasonable length of time.~~

24)††† An assurance that a sign will be displayed on the construction site stating that State funds administered by the Secretary of State and State Librarian are being used for the construction.

25)††† An assurance that the following reports and records will be completed and transmitted to the Illinois State Library: ~~Monthly reports of interest earned on grant funds, quarterly quarterly narrative and financial reports; notification within 15 days of completion of the project; a close-out report which is a final financial and narrative report within 90 days after the completion of the project; and other reports and documents, such~~

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

the start of construction; also, all subcontractors are to perform work in accordance with the conditions and standards contained in the contracts signed by the board and the Illinois State Library. The Illinois State Library shall have the right to disapprove any such contracts between the library board or library system board and contractors if:

A) The bidding procedure outlined in subsection (c)(11) was not followed.

B) The conditions and standards specified in the contract between the Illinois State Library and the library board are not incorporated into the contracts between the library board or library system board and the contractors.

20)††† An assurance that a revised budget will be prepared after bids have been accepted and will be submitted to the Illinois State Library for approval prior to actual construction. Such approval will be based on the exercise of professional judgment to insure that the provision of library services will not be harmed by the changes reflected in the revised budget. Such approval will also be based on the reduction in the contingency line item from ~~five percent~~-~~5%~~ to ~~two--percent--t~~ ~~2%~~ of total project cost in the original budget to ~~two--percent--t~~ ~~2%~~ of total project cost in the revised budget. Grant monies awarded are based on the amount specified in the original budget; grant awards will not be increased because of subsequent increases in revised budgets.

21)††† An assurance that a plaque will be placed in the completed building stating that State funds administered by the Secretary of State and State Librarian were used for the building's construction.

22)††† An assurance that permits any agent authorized by the Illinois State Library, upon presentation of credentials to, in accordance with the constitutional limitation on administrative searches, have full access to and the right to examine any records, books, papers, or documents, of the grantee involving transactions related to the grant.

23)††† An assurance that the construction will commence within ~~one hundred--forty--t~~ ~~140+~~ days after ~~the effective date of the grant contract, and that the Project will be completed within a reasonable length of time.~~

24)††† An assurance that a sign will be displayed on the construction site stating that State funds administered by the Secretary of State and State Librarian are being used for the construction.

25)††† An assurance that the following reports and records will be completed and transmitted to the Illinois State Library: ~~Monthly reports of interest earned on grant funds, quarterly quarterly narrative and financial reports; notification within 15 days of completion of the project; a close-out report which is a final financial and narrative report within 90 days after the completion of the project; and other reports and documents, such~~

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

as prevailing wage rates and receipts to verify vouchers, as reasonably may be required by the State.

A) Financial reports shall show the amount of authorized State and local funds, interest earned on grant funds, expenditures made from grant funds and from interest earned on grant funds, obligated funds by amount and by percentage of line item remaining as compared to the original budget.

B) Narrative reports shall state the progress of the project, accomplishments to date, problems encountered, objectives met and unmet, changes implemented, and the percentage of completion of the project to date.

C) The close-out report shall evaluate the degree to which the grantee achieved the goals and objectives of the project. The close-out report shall include a project audit report which shall be completed by an independent certified public accountant or accounting firm using generally accepted accounting principles. The project audit report shall include financial statements and compliance statements (which indicate that grant monies have been obligated in compliance with applicable laws and regulations of the The State of Illinois and this Part).

26) 23† An assurance that the building will remain in use as a public library or library system facility for not less than twenty years after its construction unless other use is approved by the Illinois State Library.

27) 24† An assurance letter from the Historic Preservation Agency stating the project is in compliance with all of the requirements related to the National Register of Historic Places.

28) 25† An assurance letter from the Illinois State Water Survey Division of the Illinois Department of Energy and Natural Resources stating that the project site is not located in a Special Flood Hazard Area. If the project site is located in a Special Flood Hazard Area, the applicant shall submit an assurance letter from the Division of Water Resources, the Illinois Department of Transportation, stating that the project meets the requirements of Executive Order 79-4 regarding flood damages ~~this--situation--is-for-reference-purposes-and-is-not-an incorporation-by-reference~~.

29) 26† An assurance that any change in the Plans and Specifications requiring a work change order will be submitted to the Illinois State Library; any change order of ~~ten--thousand--dollars--+~~ \$10,000+ or more will be submitted to the Illinois State Library for approval prior to being effected. The change order will be approved if the change does not have an adverse impact on library services.

30) An assurance that any interest earned on the grant funds will be expended, without limitation or exception, exclusively on the subject construction project.

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

as prevailing wage rates and receipts to verify vouchers, as reasonably may be required by the State. All applications will be considered by the Illinois State Library Advisory Committee in accordance with the provisions of this Part.

12493, effective
(Source: Amended at 19 Ill. Reg. _____)
AUG 22 1995 _____

Section 3060.900 Requirements and Conditions of Grant Funds

- d) All applications will be considered by the Illinois State Library Advisory Committee in accordance with the provisions of this Part.
- a) Building Construction Plans
 - 1) Library buildings are to be planned for ~~twenty--t~~ 20+ year population projection (for new construction and additions to buildings).
 - 2) A library building consultant shall be retained by the grantee throughout the planning and construction if the total cost of the project exceeds \$150,000.
 - 3) The architects and/or engineers employed in the design and construction of the project must be registered to practice in the State of Illinois.
 - 4) The library must meet the eligibility criteria to qualify for per capita grants provided in 75 ILCS 10/8.1, and submit an application for such grants. This subsection shall not apply to library systems.
 - 5) The library or system facility shall provide access for the physically handicapped as required in Accessibility Standards Illustrated (71 Ill. Adm. Code 400), published by the Illinois Capital Development Board, and shall display the symbol of accessibility.
- b) The library or library system shall own the proposed building site in fee simple title, or show the legal right to use the said premises for an unlimited duration.
- c) A project will not be advertised or placed on the market for bidding until the final working drawings and specifications have been approved by the Illinois State Library.
- d) All contracts for library construction shall be awarded to the lowest qualified bidder on the basis of open competitive bidding; however, if one or more items of construction are covered by an established alternative procedure used by a local unit of government, consistent with State and local laws and regulations, and approved by the Illinois State Library as designed to assure construction in an economical manner consistent with sound business practices, such alternative procedure may be followed, as is consistent with State statutes and local ordinances.
- e) Contractors and subcontractors shall submit with each request for payment the weekly payroll forms required by the Davis-Bacon Act (40 U.S.C. 327 et seq. (1982)).
- f) The library system of which the applicant is a member shall be notified of the proposed project; a copy of the completed application shall be sent to the library system director by the applicant. This shall be sent to the library system director by the applicant. This

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

subsection shall not apply where the library system is the applicant.

a) The grant recipient must secure a fidelity bond naming the Office of the Illinois Secretary of State as the exclusive beneficiary in an amount equal to 1.25 times the grant award. Failure to submit said fidelity bond by scheduled award date may result in loss of grant.

b) The Library Board shall establish and maintain such records and accounts as will permit accurate and expeditious audits at any time, before, during, and after completion of construction; such records shall be retained for not less than the time provided for by the Local Records Act [50 ILCS 205].

i) The Library Board shall comply with all applicable provisions of the Illinois Purchasing Act [30 ILCS 505].

j) The library must permit intersystem reciprocal borrowing.

(Source: Amended at 19 Ill. Reg. 12493, effective AUG 22 1995)

Section 3060.1100 Disbursement of Grant Funds

The Illinois State Library shall disburse grant funds in accordance with the following schedule:

- a) 45% upon approval of the subject application and execution of the grant agreement;
- b) 45% upon receipt by the Illinois State Library of the following items as listed in the Assurance of Compliance:
 - 1) a revised construction schedule
 - 2) a copy of building permit
 - 3) a revised budget (after bid acceptance)
 - 4) a copy of subject library's contract with general contractor
 - 5) notification of the erection on the construction site of a sign stating that library construction funds administered by the Secretary of State and State Librarian are being used for the construction
 - 6) quarterly narrative and financial reports to date; and
 - 7) 10% upon completion of the project and receipt and approval of the close-out reports by the Illinois State Library.

(Source: Amended at 19 Ill. Reg. 12493, effective AUG 22 1995)

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF EMERGENCY AMENDMENTS

1) <u>Heading of the Part:</u>	Real Estate Appraiser Certification
2) <u>Code Citation:</u>	68 Ill. Adm. Code 1455
3) <u>Section Numbers:</u>	<u>Emergency Action:</u>
	Amendment Amendment Repealed Amendment New
4) <u>Statutory Authority:</u>	Implementing Article 2 of the Real Estate License Act of 1983 [225 ILCS 455/Art. 2] (see P.A. 89-0023, effective July 1, 1995) and authorized by Section 60(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/60(7)].
5) <u>Effective Date of Rules:</u>	August 16, 1995
6) <u>If this Emergency Rule is to expire before the end of the 150-day period, please specify the date on which it is to expire:</u>	This Emergency Rule will not expire before the end of the 150-day period.
7) <u>Date Filed in Agency's Principal Office:</u>	August 15, 1995
8) <u>Reason for Emergency:</u>	This emergency rulemaking is necessary to establish fees to be paid to the Office of the Commissioner of Savings and Residential Finance by appraiser applicants and licensees pursuant to administration of Article 2 of the Real Estate License Act of 1983.
SB 349 (P.A. 89-23; effective July 1, 1995) transferred regulatory responsibility for the Real Estate License Act from the Department of Professional Regulation to the Commissioner's Office. As part of the transfer, SB 349 repealed statutory provisions which had formerly established license fees and other fees under the Act and provided instead that henceforth such fees would be established by the Commissioner by rule.	

The regulatory transfer has now occurred and the previous statutory fee provisions have now been repealed. Without rules setting forth fees, no formal fee structure for appraiser licensing in Illinois would exist. Since regulatory/administrative activities pursuant to the Act are now commencing by the Commissioner's Office, it is necessary to adopt a fee structure immediately so that license applications, renewals, etc., can be processed.

9) A Complete Description of the Subjects and Issues Involved: Section 1455.305 is a new Section of the rules adopted pursuant to the Real

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF EMERGENCY AMENDMENTS

Estate License Act of 1983. It sets forth the fees to be paid by applicants and licensees under the Act for initial license and license renewal for State licensed real estate appraisers, certified general and certified residential real estate appraisers, and appraiser education providers. It also sets forth fees to be paid in relation to pre-license/certification and continuing education course approval. It also sets forth general fees relating to administration of the Act to cover the costs of such things as duplicate licenses, certifications of a licensee's record, licensee rosters, examinations, and copies of record of proceedings. Section 1455.305 replaces statutory fee provisions in the Act which were repealed.

In conjunction with creating the new Section 1455.305 on fees, this rulemaking repeals existing Section 1455.210 which set forth fees and other requirements relating to education providers and courses. The fee language from Section 1455.210 is replaced by new language in Section 1455.305. Other non-fee language from Section 1455.210 is moved to Section 1455.300.

Similarly, language from existing Section 1455.70 relating to temporary permit fees is deleted and replaced by language in new Section 1455.305.

Section 1455.200 is modified to provide that State agencies, like Illinois colleges and universities, will not be required to pay application fees required for education providers.

Section 1455.70, 1455.200, and 1455.300 are amended to update references reflecting creation of the new Section 1455.305.

Section 1455.305 is patterned largely on the old fee structure formerly set by statute. After consultation and agreement with industry representatives, the levels of the various fees established in Section 1455.305 have been established pursuant to Section 36.6 of the Act, which provides for the promulgation by rule of fees to be paid by applicants and licensees "to cover the reasonable costs (of the Commissioner's Office) in administering and enforcing the provisions" of Article 2 of the Act and to "provide by rule for general fees to cover the reasonable expenses of carrying out other functions and responsibilities" under Article 2 of the Act.

Since a major two-year renewal for appraisers is imminent, appraiser application and renewal fees have been left at previous levels effective through November 30, 1995. Effective December 1, 1995, these fees will increase to their permanent levels. Both the current and future levels of these fees are set forth in the language of new Section 1455.305(a) and (b).

Similar fee rules under the Act applying to licensed real estate

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF EMERGENCY AMENDMENTS

salespersons, brokers and education providers are being promulgated in a separate rulemaking reflecting the separate treatment of salesperson and broker regulation under the Act.

Section 10(g) of the Real Estate Regulation Transfer Act (P.A. 89-23; effective July 1, 1995) provided that the "rules adopted by the Department of Professional Regulation relating to the powers and/or duties transferred to the (Commissioner's Office) under this Act are not affected by this Act, except that on July 1, 1995, those rules become the rules of the (Commissioner's Office)." Because of this, Section 1455.305 is being added to rules which appear to be rules of the Department of Professional Regulation, but which in fact have now been made rules of the Office of the Commissioner of Savings and Residential Finance. The Commissioner's Office intends to promulgate a clean-up revision of these rules to update agency names, references, etc., in conjunction with the transfer of real estate regulation, but the immediate need for a fee structure requires emergency rulemaking on fees before the revisionary clean-up will be promulgated.

- 10) Are there any other proposed amendments pending to this Part? No
- 11) Statement of Statewide Policy Objectives: This rule will not affect local government.
- 12) Information and questions regarding this Emergency Rules shall be directed to:

Mr. John E. Arthur, Legislative Liaison
Commissioner of Savings & Residential Finance
500 East Monroe Street, Suite 800
Springfield, Illinois 62701-1509
(217) 782-6169.

13) Regulatory Agenda on which this rulemaking was summarized: July 1995
The full text of the emergency amendments begins on the next page:
(b).

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF EMERGENCY AMENDMENTS

TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1455**REAL ESTATE APPRAISER CERTIFICATION****SUBPART A: RESIDENTIAL AND GENERAL CERTIFICATION**

Section 1455.10	Definitions
1455.15	Uniform Standards of Professional Appraisal Practice
1455.16	Jurisdictional Exceptions/Supplemental Standards
1455.20	Education and Experience Requirements for State Licensed Real Estate Appraiser
1455.30	Education and Experience Requirements for Certified Residential and Certified General Real Estate Appraiser, Certified Residential Real Estate Appraiser or Certified General Real Estate Appraiser
1455.40	Application as a State Licensed Real Estate Appraiser, Certified Residential Real Estate Appraiser or Certified General Real Estate Appraiser Examination
1455.50	Nonresident Licensure/Certification
1455.60	Nonresident/Temporary Practice
1455.70	Nonresident/Temporary Practice
EMERGENCY	

SUBPART B: EDUCATION PROVIDERS

Section 1455.200	Approval of Education Providers/Courses
EMERGENCY	
1455.205	Appraiser Continuing Education (CE)
1455.210	Fees - Education Providers/Courses <u>(Repealed)</u>
EMERGENCY	

SUBPART C: GENERAL

Section 1455.300	Renewals
EMERGENCY	
1455.305	Fees
EMERGENCY	
1455.310	Granting Variances

AUTHORITY: Implementing Article 2 of the Real Estate License Act of 1983 [225 ILCS 455/Art. 2] and authorized by Section 60(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/60(7)].

SOURCE: Emergency rules adopted at 16 Ill. Reg. 16196, effective September 25, 1996.

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF EMERGENCY AMENDMENTS

30, 1992, for a maximum of 150 days; rules adopted at 17 Ill. Reg. 1589, effective January 26, 1993; emergency amendment at 17 Ill. Reg. 6668, effective April 19, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 13494, effective July 30, 1993; amended at 18 Ill. Reg. 2379, effective January 28, 1994; emergency amendment at 18 Ill. Reg. 3006, effective February 10, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 8428, effective May 24, 1994; amended at 19 Ill. Reg. 9176, effective June 26, 1995; emergency amendment at 19 Ill. Reg. 12503, effective August 16, 1995, for a maximum of 150 days.

SUBPART A: RESIDENTIAL AND GENERAL CERTIFICATION

Section 1455.70 Nonresident/Temporary Practice**EMERGENCY**

- a) A nonresident appraiser, licensed/certified in another jurisdiction, may apply for a temporary appraisal practice permit by filing with the Department, on an application provided by the Department. The information submitted on the application shall include, but not be limited to, the following:
 - 1) The applicant's name, address, social security number, any other such information as might be necessary to identify the applicant.
 - 2) A certification from the agency in the applicant's home state of licensure/certification, certifying that the applicant is a duly licensed/certified real estate appraiser in good standing; and, setting forth any discipline taken (or pending) by the agency against the applicant.
 - 3) An estimate of the amount of time required to perform the appraisal assignments(s) and a description of the property or properties to be appraised by the applicant.
 - 4) An irrevocable consent that service of process in any action against the applicant that may arise from the applicant's Illinois appraisal activities may be made by delivery of process on the Illinois Appraisal Administrator.
 - 5) Such other information as may be necessary to determine the applicant's eligibility for temporary appraisal privileges within the State of Illinois.
- b) Limitations and requirements for temporary appraisal practice are as follows:
 - 1) The temporary practice permit shall be for a period of 60 days from the date of issuance. The permit may not be renewed but may be extended for 30 days upon written request and payment of an extension fee, at least 14 business days prior to the expiration of the original temporary practice permit;
 - 2) Each applicant is limited to 2 temporary appraisal practice permits in any calendar year;
 - 3) The fee for each temporary permit--shall--be--\$00-00--shall accompany the application and is non-refundable--the--fee--for--

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF EMERGENCY AMENDMENTS

~~extension--of--an-appraisal-permit-is--\$00-007-shall-accompany-the
written-request-for-extension-and-is-not-refundable;~~

34) Persons granted temporary appraisal practice permits shall not advertise, solicit or otherwise represent themselves as State Licensed Real Estate Appraisers, Certified Residential Real Estate Appraisers or Certified General Real Estate Appraisers; and

45) Applicants will be required to pay any fee required by the Federal government under Title XI of the Federal Institutions Reform, Recovery and Enforcement Act of 1989.

(Source: Emergency amendment at 19 Ill. Reg. 12503, effective August 16, 1995, for a maximum of 150 days)

SUBPART B: EDUCATION PROVIDERS

**Section 1455.200 Approval of Education Providers/Courses
EMERGENCY**

- a) An entity seeking approval as an appraisal education provider shall submit an application, on forms provided by the Department, and shall meet the following minimum criteria:
 - 1) The provider shall:
 - A) Maintain a fixed office that is adequate for the maintenance of all records, office equipment, files, telephone equipment and office space necessary for customer service;
 - B) Offer a minimum of one curriculum that conforms to the standards of subsections (c) and (d) of this Section;
 - C) Administer a mandatory final examination for each pre-license course offering;
 - D) Provide each student within 21 days of completion of each course (or within 21 days of a request by a student or the Department), a certification of completion, transcript or other document verifying hours of attendance, successful course completion and identifying the course by name and number, if any. In addition, such certificate, transcript or other document shall indicate the provider's address and telephone number, the location and date of the course, and include an authorized signature of the course provider's representative. Documentation for CE courses may be in the form of a Uniform Request for Continuing Education, which is a form supplied by national appraisal organizations;
 - E) Submit the fee(s) set forth in Section 1455.305 ~~1455-210~~;
 - F) Comply with all applicable fire, building, zoning, health, safety and accessibility codes and standards pertaining to the premises, equipment and facilities of the course site;
 - G) Provide the student with information which specifies the course of study to be offered; the tuition to be charged;

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF EMERGENCY AMENDMENTS

the school's policy regarding refund of unearned tuition when a student is dismissed or withdraws voluntarily or through hardship; any additional fee to be charged for supplies, materials or books which become the property of the student upon payment; and such other matters as are material to the relationship between the school and the student (e.g., cost of retaking a course, current status of licensure, any disciplinary action taken by the Department and attendance requirements);

H) Maintain for each student a record which shall include the course of instruction undertaken, dates of attendance, and areas of study completed satisfactorily. Each student's record shall be maintained by the school for a period of at least 7 years and shall be available for inspection by the student or by the Department or its designee during regular business hours; and

I) Employ competent instructors.

- i) Beginning December 31, 1993, instructors for courses in the IL IV and IL V curricula shall be Certified General Real Estate Appraisers or full-time faculty members of a 4-year college or university.
- ii) Beginning December 31, 1993, instructors for courses in the IL I, IL II and IL III curricula shall be Certified Residential or Certified General Real Estate Appraisers or full-time faculty members of a 4-year college or university.
- iii) For CE courses and courses in the IL E curriculum, instructors should be Certified Residential or General Real Estate Appraisers or persons with education and/or experience in appraisal or the subject matter of the course.

2) Approved course providers shall not advertise as being endorsed, recommended or accredited by the Department. Course providers may indicate that the provider and course of study have been approved by the Department.

3) Illinois Colleges, Universities, and Agencies

- A) Colleges and universities which apply as appraisal education providers under subsection (a)(1) above shall be accredited by the regional accrediting body and offer either or both an associate's and baccalaureate degree program.
- B) Illinois Colleges and universities will not be required to pay the application fees required by Section 1455.305 ~~1455-210~~.

C) Agencies under the jurisdiction of the Governor of the State of Illinois will not be required to pay the application fees required for education providers by Section 1455.305.

b) Appraisal Education Sub-Providers

- 1) Sub-organizations (such as chapters, branch schools and local

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF EMERGENCY AMENDMENTS

associations) may seek CE course approval (licensure) under the appraisal education provider's license of the parent organization. Such sub-providers may not seek approval for pre-license appraisal courses. Sub-providers may offer pre-license courses as a co-sponsor with the parent provider.

2) Sub-organizations need not apply to the Department to become an approved CE course provider but may seek course approval under the providership of the parent organization.

A) A sub-provider need not comply with (A), (C), (D) or (E) of subsection (a)(1) of this Section.

B) The license of the parent organization may not be jeopardized or disciplined as a result of the actions of the sub-provider.

3) The appraisal education sub-provider, on each application for CE course approval, must certify:

A) The sub-organization has reviewed the CE course and approves the course content;

B) The sub-organization is an authorized affiliate of the parent organization;

C) The parent organization has given the sub-organization permission to seek course approval (licensure) under the umbrella of the parent organization's provider's license; or, that the parent organization will recognize the course for CE credit within its own CE program.

4) Each CE course sub-provider shall issue to each registered student a certificate of attendance that shall indicate the student's name, social security number or appraiser license/certification number, the date(s) and location of the course, the signature of an authorized representative of the sub-provider and a statement that the student did or did not attend a minimum of 90% of the course. A certificate of attendance may be in the form of a course attendance diploma, a certification letter, an official transcript or a "Uniform Request for Continuing Education Credit".

5) Within twenty-one (21) days after completion of each CE course presentation, the sub-provider shall certify to the Department, Office of the Appraisal Administrator, a roster of all duly registered students. The certification shall be on forms provided by the Department and shall include:

A) The CE course license number;

B) The license number of the parent provider;

C) The date(s) and location of the CE presentation;

D) The name of the instructor(s);

E) A listing of students by full name, appraiser license/certification number (or social security number) and an indication that the student did or did not attend a minimum of 90% of the course (the names shall be listed in alphabetical order); and

NOTICE OF EMERGENCY AMENDMENTS

F) The authorized signature of a representative of the sub-organization.

G) Required Pre-License/Certification Course Curriculum

H) Standards of Professional Appraisal Practice--15 hours (IL I). This course curriculum reviews - USPAP adopted by the Appraisal Subcommittee. Topics are:

A) Ethics Provision - USPAP

B) Competency Provision - USPAP

C) Departure Provision - USPAP

D) Standard 1 - USPAP

E) Standard 2 - USPAP

F) Standard 3 - USPAP

G) Standard 4 - USPAP

H) Standard 5 - USPAP

I) Standard 6 - USPAP

J) Basic Principles of Appraisal--30 hours (IL II). This course curriculum shall include an overview of the appraisal process covering the principles of market and valuation analysis necessary for appraising real property and an introduction to appraisal theory, concepts, techniques and the level of competence required to perform professional appraisal analyses. Topics are:

A) Influences on Real Estate

B) Real Estate/Real Property/Personal Property

C) Real Estate Ownership

D) Legal Descriptions

E) Types of Value

F) Economic Principles

G) Real Estate Markets and Market Analysis

H) Money and Capital Markets

I) Real Estate Financing

J) Valuation Process

K) Neighborhood Data and Analysis

L) Site Data and Analysis

M) Improvement Data and Analysis

N) Basic Construction and Design

O) Highest and Best Use Analysis

P) Sources of Valuation Data

Q) Accumulation of Valuation Data

R) Overview of the Three Approaches to Value

S) Reconciliation and Final Value Estimate

T) Overview of the Appraisal Report

U) Residential Valuation Procedures/Single Family Appraisal--30 hours (IL III). This course curriculum shall be designed to provide an understanding and working knowledge of the procedures and techniques required to estimate the market value of residential properties. Emphasis should be placed on the extraction of data and the correct application of the three

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF EMERGENCY AMENDMENTS

approaches to real estate valuation. Topics are:

- A) Basic Statistics
- B) Residential Site Valuation – Sales Comparison
- C) Residential Site Valuation – Allocation
- D) Residential Site Valuation – Extraction
- E) Cost Approach – Cost New Estimates
- F) Cost Approach – Entrepreneurial Profit
- G) Cost Approach – Types of Depreciation
- H) Cost Approach – Depreciation – Age-Life Method
- I) Cost Approach – Depreciation – Market Extraction Method
- J) Cost Approach – Depreciation – Breakdown Method
- K) Cost Approach – Application
- L) Sales Comparison Approach – Units of Comparison
- M) Sales Comparison Approach – Elements of Comparison
- N) Sales Comparison Approach – Cash Equivalency
- O) Sales Comparison Approach – Making Adjustments
- P) Sales Comparison Approach – Application
- Q) Income Capitalization Approach – Gross Rent Estimates
- R) Income Capitalization Approach – Gross Rent Multiplier
- S) Income Capitalization Approach – Application
- T) Residential Appraisal Reports

4) Valuation Procedures, Nonresidential Properties--30 hours (IL IV). This course curriculum focuses on the appraisal of nonresidential properties and provides a practical solution for estimating value by an in-depth study of appraisal theory and the development of advanced valuation skills. Topics are:

- A) Basic Statistics
- B) Site Valuation – Sales Comparison
- C) Site Valuation – Allocation/Extraction
- D) Site Valuation – Subdivision Analysis/Other Methods
- E) Cost Approach – Cost New Estimates
- F) Cost Approach – Entrepreneurial Profit
- G) Cost Approach – Types of Depreciation
- H) Cost Approach – Depreciation – Age-Life Method
- I) Cost Approach – Depreciation – Market Extraction Method
- J) Cost Approach – Depreciation – Breakdown Method
- K) Cost Approach – Application
- L) Sales Comparison Approach – Units of Comparison
- M) Sales Comparison Approach – Elements of Comparison
- N) Sales Comparison Approach – Cash Equivalency
- O) Sales Comparison Approach – Making Adjustments
- P) Sales Comparison Approach – Application
- Q) Income Approach – Income Estimates
- R) Income Approach – Expense Estimates
- S) Income Approach – Capitalization Rates
- T) Income Approach – Direct Capitalization
- U) Income Approach – Income Multipliers
- V) Income Approach – Application

NOTICE OF EMERGENCY AMENDMENTS

W) Appraisal Reports

5) Income Capitalization--30 hours (IL V). Courses in this curriculum are to provide alternative methods of estimating present value based on income forecasts. There courses focus on more advanced capitalization methods and techniques. Topics include:

- A) Six Functions of \$1
- B) Gross Income Estimates
- C) Vacancy and Collection Loss
- D) Operating Expense Estimates
- E) Reserves for Replacement
- F) Operating Statement Ratios and Multipliers
- G) Debt Service/Equity Dividend
- H) Direct Capitalization
- I) Overall Rate Development – Market Extraction
- J) Overall Rate Development – Band of Investment
- K) Overall Rate Development – Ratios/Multipliers
- L) Overall Rate Development – Residual Techniques
- M) Equity Dividend Rate
- N) Debt Coverage Ratio
- O) Cash Flow Estimates
- P) Revision Estimates
- Q) Discount and Yield Rates
- R) Yield Capitalization Overview
- S) Discounted Cash Flow Analysis Overview
- T) Lease Provisions, Analysis and Valuation
- U) Lease Analysis
- V) Partial Interest Valuation

6) Courses in the IL E curriculum (electives) are courses with topics that are considered more advanced; and/or cover appraisal topics not covered in the core course curricula. Credit for elective hours can be achieved by successful completion of courses approved in the IL E curriculum or by successful completion of courses with excess hours approved and allocated for elective credit in accordance with subsection (c)(9) of this Section.

7) Each pre-license/certification course shall be a minimum of 15 credit hours.

8) All pre-license/certification courses shall include a final examination.

A) Each final exam for curricula IL II, IL III, IL IV, IL V and IL E (elective) courses shall consist of a minimum of 50 questions; however, courses approved for 15 hours credit may have a final examination with 25 questions.

B) The final exam for IL I courses shall consist of a minimum of 25 questions.

C) The applicant shall pass the examination in order to obtain credit for a course. A passing score shall be a minimum of

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF EMERGENCY AMENDMENTS

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF EMERGENCY AMENDMENTS

9) 70% of examination questions answered correctly.

If 80% of the required topics for IL II through IL V courses are presented, the course shall be approved for the minimum required hours. Two 15 hour courses from a single provider may be approved to meet a 30 hour curriculum requirement, provided the courses together cover a minimum of 80% of the required curriculum topics. An application for one 15 hour course in a curriculum requiring 30 hours will be denied. For courses in the IL I curriculum 100% of the listed topics must be covered. IL E courses will be approved based upon the Committee's review of the course as to the value of topics to be presented and their relationship to the appraisal process.

A) Classroom hours in excess of the curriculum requirement may be approved for elective credit. Such approval is limited to 9 excess hours for courses in a 30 hour curriculum requirement and 5 excess hours for courses in a 15 hour curriculum requirement;

B) Excess hours may be approved, within the above limits based upon the Committee's evaluation of the appraisal educational value of the excess hours.

10) All changes in course content shall be submitted to the Department for review and evaluation.

11) The license for all pre-license/certification courses shall expire 36 months from the date of issue. An approved provider may renew the course approval by completing a renewal application and paying the renewal fee, in accordance with Sections 1455.1300, 1455.22#04#1455.20 and 1455.305 of this Part.

d) CE Course Requirement

- 1) Courses licensed by the Department for pre-license/certification appraiser education are approved for CE credit. The renewal applicant will be awarded credit for attendance at these courses provided the license for the course was valid and in good standing at the time of attendance; and provided the course is not repetitive as indicated by Section 1455.205. CE credit for pre-licensure certification education will be awarded as 15 hours for 15 hour courses and 20 hours for 30 (or more) hour courses.
- 2) CE courses shall be approved by the Appraisal Administrator, upon the recommendation of the Committee, for courses with or without a final examination.
- 3) The application for each course approval shall include a description of the course, a course (or instructor's) outline that shall list the time frame for topic presentation, the number of classroom instruction hours excluding examination, the time allotted for examination (if any), the specific course name as it will appear on transcripts or course certifications, a sample of the certificate, the transcript or other documentation that will be used to document the student's attendance and any other information that may be required by the Department.

A) An applicant may be required to submit texts and all other course materials for evaluation by the Appraisal Committee.

B) The application for CE courses being offered by a sub-provider shall also include a certification in accordance with subsection (b)(3) of this Section.

4) The Committee/Administrator shall approve courses that would contribute to the integrity, extension and enhancement of professional skills and knowledge in the practice of Real Estate Appraisal. Courses submitted for approval should be designed to cover at least one of the following topics:

- A) Ad Valorem Taxation
- B) Arbitration
- C) Business Courses (related to practice of real estate appraisal)
- D) Construction Cost Estimating
- E) Ethics and Standards of Professional Practice
- F) Illinois Appraiser Licensing Laws and/or Rules
- G) Land Use, Planning, and Zoning
- H) Property Development
- I) Real Estate Appraisal (valuation/evaluation)
- J) Real Estate Management, Leasing, Brokerage, Timeshare
- K) Real Estate Law
- L) Real Estate Litigation
- M) Real Estate Finance or Investment
- N) Appraisal Computer Applications
- O) Real Estate Securities and Syndications
- P) Real Property Exchange
- Q) Other topics deemed appropriate by the Committee/Administrator.

5) The Committee/Administrator shall not approve:

- A) Motivation courses or seminars
- B) Courses that focus instruction to increase appraiser income
- C) Courses or seminars that focus on the recruitment of employees or clients
- D) Courses or seminars with instructional material relative to associations
- E) Courses or seminars with instructional material relative to passing the State's appraiser examination
- F) Having less than three classroom hours of instruction exclusive of examination (if any)
- G) A course for more than 20 hours CE credit
- H) Subsequent to approval of any CE course, revisions in course content and/or course material shall be submitted for re-evaluation and re-approval. Failure to report course changes may result in revocation of the CE course license. The fee for re-approval shall be in accordance with Section 1455.305
- I) Approval (license) for CE courses shall expire on March 31 of

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF EMERGENCY AMENDMENTS

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF EMERGENCY AMENDMENTS

even numbered years. The provider or sub-provider may renew the approval (license) by completing a renewal application and paying the renewal fee, in accordance with Sections 1455.300
1455.210(b)(2)(A) and 1455.305 of this Part.

e) Audits and Inspections. The Department may conduct on site inspections of the course provider's (or sub-provider's) place of business and may audit any session of any course approved for pre-license or CE credit.

1) At the request of the Appraisal Administrator, a course provider shall provide a list of all courses that the provider is planning to offer within a 6 month period subsequent to the request. The list shall include the name and license number of each course, as well as the date, time and location of each presentation.

2) In the event of a course audit, the provider shall provide the Department representative, at no cost, any and all course materials used in the presentation of the course being audited.

3) The Appraisal Administrator, a member of the Administrator's staff, an Appraisal committee member or other designated Department employee may inspect the business office of any course provider (or sub-provider) during normal business hours.

f) Withdrawal of Approval

1) The Department, upon recommendation of the Real Estate Appraisal Committee, shall withdraw, suspend or place on probation in accordance with 68 Ill. Adm. Code 1110 the approval of the real estate appraiser education provider when the quality of the program fails to continue to meet the established criteria of an approved provider as set out in this Section or upon determination that the decision to approve the program was based upon false or deceptive information.

2) The provider's license will terminate immediately upon the failure to renew. Course licenses will terminate upon the expiration date or immediately upon the termination of the provider's license. The provider may thereafter reapply for approval as an appraiser education provider and for course approval.

(Source: Emergency amendment at 19 Ill. Reg. 12503, effective August 16, 1995, for maximum of 150 days)

Section 1455.210 Fees – Education Providers/Courses (Repealed)

EMERGENCY

a) Application/Renewal Fees-for-Appraiser-Education-Providers

1) The fees for application-a-rent--estate--appraiser--education provider--shall--be--\$2007 plus--course--approval--fees--set--forth--in subsection (b)--below--which are--non-refundable-

2) The fees--for--renewal--of--an--approved--rent--estate--appraiser education--provider--shall--be--\$500--per--year--which--is

non-refundable:

A) The fees--to--renew--an--appraiser--education--provider--license that has--expired--for--less--than--60--days--shall--be--\$500--plus--a penalty--of--\$100;

B) An--appraiser--education--provider's--license--that--has--expired for--more--than--60--days--may--not--be--renewed--The--provider--may reapply--for--licensure--in--accordance--with--Section--1455.200--application fees--for--pre--intensive--certification--and--EB--Course--Approval+

A) The--appraisal--fee--for--a--pre--intensive--certification--appraisal course--shall--be--\$500--and--each--approved--course--will--expire--3--years from--the--date--of--issuance--or--upon--the--expiration--of--the--provider license--for--which--the--course--licensure--is--subordinate;

B) Application fees received--after--the--expiration--date shall--be--\$300--Appliations received--366--days--or--more--after the--expiration--date--shall--not--be--renewed--The--applicant--may submit--a--new--application--for--approval--of--the--pre--intensive--certification--course--under--a--different--course title;

C) The--renewal--application--shall--include--a--confirmation--of--the provider's--original--certification--and--a--certification--that the--course--is--a--legitimate--the--same--course--as--previously approved--in--addition--to--the--application--the--applicant must--explain--any--course--revisions--in--detail--submit--a listing--of--texts--and--other--materials--used--in--the--course--as well--as--the--current--final--examination--and--the--current--course outline--which--shall--contain--a--time--schedule--for--topic presentation;

D) The--application--fee--for--EB--course--approval--shall--be--\$300--and--the approval--of--license--for--each--course--may--be--renewed--prior--to--its expiration--date--which is--March 31--of--even--numbered--years--A course--meeting--the--requirements--of--a--pre--licensure/certification course--as--set--forth--in--Section--1455.200f--through--f55--will--be denied--licensure--as--an--EB--course--however--such--course--may--be approved--by--application--for--approval--of--the--pre--intensive--certification--course--and--payment--of--the--appropriate fee;

E) The--EB--course--may--be--renewed--for--an--additional--2--year licensure--term--by--completing--of--a--renewal--application--which shall--be--provided--by--the--Department--and--payment--of--a--renewal fee--of--\$150;

F) The--renewal--fee--if--submitted--after--the--expiration--date shall--be--\$2007--Any--application--for--EB--course--renewal received--by--the--Department--366--days--or--more--after--the expiration--date--shall--not--be--renewed--The--applicant--may

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF EMERGENCY AMENDMENTS

submit a new application for approval of the course under a different course title.
 + The renewer/applicant shall include a confirmation of the provider's original certification and a certification that the course is essentially the same course as previously approved. In addition to the application, the applicant must submit a listing of texts and other materials used in the course and the current course outline, which shall be renewed every 3 years.

3) The fee for evaluation of revisions to approved courses shall be \$200 for pre-licensure/certification courses and \$75 for CE courses.

(Source: Emergency repealer at 19 Ill. Reg. 12503, effective August 16, 1995, for a maximum of 150 days)

SUBPART C: GENERAL

Section 1455.300 Renewals
EMERGENCY

- a) Every license or certificate issued under the Act as a State Licensed Real Estate Appraiser, Certified Residential Real Estate Appraiser or Certified General Real Estate Appraiser shall expire on September 30 of each odd-numbered year. The holder of a license or certification may renew the license or certification during the month preceding the expiration date by paying the required fee specified in Section 1455.305 of this Part. 36-6-of-the-Act--A-penalty-fee-of-\$20-shall-be-charged-for-renewal-of-an-expired-license-or-certification-
 - 1) In order to renew a license or certification in 1995, and thereafter, an applicant will be required to comply with the continuing education requirements pursuant to Section 36.17 of the Act and Section 1455.205 of this Part.
 - 2) A license with the title of State Licensed Real Estate Appraiser may be renewed by providing evidence of completion of experience as required by Section 1455.20(b), evidence of 20 hours CE course work and payment of renewal fees set forth in Section 1455.305 of this Part. 36-6-of-the-Act--For a license expired between 2 years and 3 years, a renewal applicant shall complete the 20 hours of CE after the expiration date on the license.
 - 3) An expired license for Certified Residential or General Real Estate Appraiser may be renewed by payment of renewal fees set forth in Section 1455.305 of this Part 36-6--of--the--Act and evidence of completion of 20 hours of CE coursework. For a license expired between 2 years and 3 years, a renewal applicant shall complete 20 hours of CE after the expiration date on the license.

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF EMERGENCY AMENDMENTS

- 4) A license or certificate for State Licensed, Certified Residential or Certified General Real Estate Appraiser expired for more than 3 years will not be renewed. The appraiser may reapply for license or certification by meeting the licensure or certification requirements in effect at the time of application and by passing the appropriate State Appraiser Examination.
- 5) The holder of a license or certificate for State Licensed, Certified Residential or Certified General Appraiser that is expired for a period of less than 3 years may renew the license or certificate in accordance with the provisions of this Section. Licensees may not reapply for licensure or certification in the same appraiser category until the certificate has been expired for 3 years.
- b) Approved real estate appraiser education providers shall renew December 31 each year by paying the required fee set forth in Section 1455.305 1455.210(b) of this Part. An appraiser education provider's license that has expired for more than 60 days may not be renewed. The provider may reapply for licensure in accordance with Section 1455.200.
- c) Approved pre-licensure/certification courses will expire 3 years from the date of issue, or upon the expiration of the provider's license (for which the course license is subordinate), and may be renewed by renewal application reapplication and payment of fees, in accordance with Sections Section 1455.200 and 1455.305 1455.210, 60 days prior to expiration.
- 1) The renewal application shall include a confirmation of the provider's original certification and a certification that the course is essentially the same course as previously approved. In addition to the application, the applicant must explain any course revisions in detail, submit a listing of tests and other materials used in the course as well as the current final examination, and submit the current course outline, which shall contain a time schedule for topic presentation.
- 2) Applications received 366 days or more after the expiration date shall not be renewed. The applicant may submit a new application for approval of the pre-licensure/certification course under a different course title.
- d) Approved appraisal CE courses will expire on March 31 of even numbered years and may be renewed by renewal application recertification and payment of fees, in accordance with Sections Section 1455.200 and 1455.305 1455.210, 60 days prior to expiration.
- 1) The renewal application shall include a confirmation of the provider's original certification and a certification that the course is essentially the same course as previously approved. In addition to the application, the applicant must explain any course revisions in detail, submit a listing of tests and other materials used in the course, and submit the current course outline, which shall contain a time schedule for topic

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF EMERGENCY AMENDMENTS

2) Any application for CE course renewal received 366 days or more after the expiration date shall not be renewed. The applicant may submit a new application for approval of the course under a different course title.

3) A course meeting the requirements of a pre-license/certification course as set forth in Section 1455.200(c)(1) through (5) will be denied licensure as a CE course; however, such course may be approved by application for approval as a pre-license/certification course and payment of the appropriate fee.

e) It is the responsibility of each individual holding certification or licensure to notify the Department of any change of address. Failure to receive a renewal form from the Department shall not constitute an excuse for failure to pay the renewal fee and to renew the certification in a timely manner.

f) A certificate for State Licensed Real Estate Appraiser will not be renewed until the Department has received documentation of 500 hours of experience in accordance with Section 1455.20(b). To expedite processing, the documentation may be submitted with the original application for licensure or as soon as the experience is met; otherwise, it shall be submitted with the renewal application.

(Source: Emergency amendment at 19 Ill. Reg. 12503, effective August 16, 1995, for a maximum of 150 days)

Section 1455.305 Fees
EMERGENCY

a) Appraiser Application Fees

1) The application fee for licensure as a State licensed real estate appraiser (whether by examination, reexamination, acceptance, or reciprocity) is \$100; effective December 1, 1995, this fee shall be \$175.

2) The application fee for licensure as a Certified General or Certified Residential Real Estate Appraiser (whether by examination, reexamination, acceptance, or reciprocity) is \$150; effective December 1, 1995, this fee shall be \$175.

3) The initial registry fee for an appraiser is \$50; effective December 1, 1995, this fee shall be \$75.

4) The fee for each temporary practice permit, in accordance with Section 1455.70, is \$80; effective December 1, 1995, this fee shall be \$100.

5) The fee for extension of a temporary practice permit, in accordance with Section 1455.70, is \$80; effective December 1, 1995, this fee shall be \$100.

b) Appraiser Renewal Fees

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF EMERGENCY AMENDMENTS

1) The fee for renewal of an active appraiser license or certification is \$300; effective December 1, 1995, this fee shall be \$450.

2) The fee for renewing an expired license or certification is \$320; effective December 1, 1995, this fee shall be \$550.

c) Application/Renewal Fees for Appraiser Education Providers

1) The fee for application as a real estate appraiser education provider shall be \$1000, plus necessary course approval fees as set forth in subsection (d) below.

2) The fee for renewal as an approved real estate appraiser education provider shall be \$500 per year.

3) The fee to renew an appraiser education provider license that has been expired for less than 61 days shall be \$600.

d) Application/Renewal Fees for Pre-license/Certification and CE Course Approval

1) The application fee for approval of a pre-license/certification appraisal course shall be \$500.

A) The fee for renewal of a pre-license/certification appraisal course shall be \$250.

B) The fee for renewal of a pre-license/certification appraisal course that has been expired for less than 366 days shall be \$350.

2) The application fee for CE course approval shall be \$300.

A) The fee for renewal of an approved CE course shall be \$150.

B) The renewal fee for an approved CE course that has been expired for less than 366 days shall be \$250.

3) The fee for evaluation of revisions to approved courses shall be \$200 for pre-license/certification courses and \$75 for CE courses.

e) General

1) All fees paid pursuant to the Act and this Section are non-refundable.

2) Applicants for examination and reexamination for appraiser certification and licensing shall pay a fee covering the cost of providing such examination. If a designated testing service is utilized for the examination, such fee shall be paid directly to the designated testing service.

3) The fee for certification of a registrant's record (e.g., license status, examination information, discipline, etc.) is \$25.

4) There is no fee for license/certification verification.

5) The fee for issuance of a duplicate license or certification or replacement of a lost license or certification is \$25.

6) The fee for a license or certification with name and/or address change (other than name and/or address change at renewal) is \$25.

7) The fee for a decorative wall certificate is the actual cost of the certificate which shall include shipping and handling costs.

8) The fee for a roster of persons licensed under the Act is the cost of producing the roster including shipping and handling

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF EMERGENCY AMENDMENTS

9.) The fee for requesting a waiver of the real estate appraiser experience requirement pursuant to Section 36.11 of the Act shall be \$25.

10.) The fee for furnishing a record of proceedings under Section 36.20 of the Act is \$1 per page of the record.

11.) National Registry fees payable to the Appraisal Subcommittee pursuant to federal regulations and laws shall be paid by the agency from funds appropriated by the General Assembly from the Appraisal Administration Fund.

(Source: Emergency rule adopted at 19 Ill. Reg. 12503, effective August 16, 1995, for a maximum of 150 days)

DEPARTMENT OF PUBLIC AID

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS

1.) Heading of the parts: Aid to Families with Dependent Children, Related Program Provisions, Food Stamps and Demonstration Programs

2.) Code Citation: 89 Ill. Adm. Code 112, 117, 121 and 170

3.) Register Citation to Notices of Proposed Amendments:
 May 5, 1995 (19 Ill. Reg. 6257) June 16, 1995 (19 Ill. Reg. 7786)
 July 7, 1995 (19 Ill. Reg. 8933) July 21, 1995 (19 Ill. Reg. 10363)
 July 21, 1995 (19 Ill. Reg. 10381) August 4, 1995 (19 Ill. Reg. 11316)
 August 18, 1995 (19 Ill. Reg. 11773)

4.) Date, Time and Location of Public Hearings:

Thursday, September 14, 1995
 9:00 A.M. to 12:00 Noon
 First Floor, Hearing Room 114
 State Capitol Building
 Springfield, Illinois

Friday, September 15, 1995
 9:00 A.M. to 12:00 Noon
 Ninth Floor, Hearing Room 9-040
 James R. Thompson Center
 100 W. Randolph St.
 Chicago, Illinois

5.) Other Pertinent Information:

The Department is holding these public hearings to receive public views, suggestions, and comments on several welfare reform initiatives that are currently being implemented. Each of these initiatives is authorized by Public Act 89-6, but the initiatives are not being implemented at the same time. Rulemaking has been proposed in the Illinois Register for the implementation of some of these initiatives and emergency rulemaking has been used to implement a few of the initiatives. Other initiatives will be included in future rulemaking. The Department will consider changes in the initiatives in response to the comments presented at these hearings, regardless of the status of the rulemakings.

The specific initiatives and the current status of rulemaking for each initiative are described here.

1. School Attendance Initiative. This initiative requires parents who are receiving Aid to Families with Dependent Children assistance and whose elementary school children have experienced problems with school attendance to participate in a plan designed to reduce the problems causing the truancy. A social service agency will serve as protective payee for the recipient if the recipient fails to cooperate with the plan. A federal waiver request is pending to allow the Department to impose sanctions as well. This initiative was initially implemented as a pilot project in South Chicago under emergency rulemaking effective in January 1995. Permanent rules for the pilot project were adopted effective June 8 (19 Ill. Reg. 7901).

DEPARTMENT OF PUBLIC AID

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS

Under Public Act 89-6, the Department has now proposed rulemaking for statewide implementation of this initiative. This proposed rulemaking was published on July 7 (19 Ill. Reg. 8933).

2. Adolescent Parent Program. This initiative establishes a demonstration program to evaluate the effectiveness of mandating pregnant and parenting teens under the age of 16 who receive Aid to Families with Dependent Children to participate in the Department's employment and job training program. The participants will be included in the JOBS Teen Parent Initiative and Young Parent Services program. Authorized by Public Act 89-6 and with federal approval of a waiver requested by the Department, this initiative is being implemented under emergency rulemaking effective August 7 (19 Ill. Reg. 12011). Identical proposed rulemaking was published at the same time (19 Ill. Reg. 11773).

3. Households Headed by Minor Parents. This initiative requires unmarried minors under age 18 who are pregnant or who are parents to live with their parents, with their legal guardian, with another adult relative, or in an adult-supervised supportive living arrangement as a condition of eligibility for Aid to Families with Dependent Children. Exceptions are granted in specific circumstances. The proposed rulemaking to implement this initiative was proposed on May 5 (19 Ill. Reg. 6257). The Department anticipates adoption of this rulemaking to be effective September 1. Testimony presented at these public hearings will be considered in relation to any necessary changes in the implementation of this initiative.

4. Personal Responsibility or Family Cap. Contingent on the approval of the Department's request for a waiver by the federal government, this initiative will eliminate increases in assistance amounts under Aid to Families with Dependent Children based solely on the birth of a child. The cash assistance will be capped at the level received prior to the birth of the child. Medicaid coverage, food stamps and child care will not be included in the cap and any general increases in assistance amounts that are provided to all recipients will not be affected. Rulemaking for this initiative was proposed on July 21 (19 Ill. Reg. 10363 and 10381).

5. Get a Job and Targeted Work Initiatives. Rulemaking for implementation of these initiatives was proposed on August 4 (19 Ill. Reg. 11316). Both initiatives are intended to help move recipients of Aid to Families with Dependent Children toward self-sufficiency and to support their efforts to achieve employment goals. The Get a Job initiative will immediately place employable recipients who have children ages 5 through 12 in job search activities to get them into the work force quickly. The Targeted Work initiative will require recipients whose youngest child is age 13 or older to find work and

DEPARTMENT OF PUBLIC AID

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS

stay employed as a condition of receiving assistance. Receipt of cash assistance by targeted work participants will be limited to 24 months.

6. Court-Ordered Participation in Welfare. As provided in Public Act 89-6, this initiative will provide for participation in the Welfare component of the Food Stamp Employment and Training Program when an individual is ordered to participate by a court of competent jurisdiction. Receipt of food stamps will not be an eligibility requirement for such individuals to participate and both exempt and nonexempt individuals may be included. Rulemaking to implement this initiative was proposed on June 16 (19 Ill. Reg. 7786).
7. Employment Plan. The Department is currently developing rulemaking to implement the provisions of Public Act 89-6 that require assistance applicants and recipients to submit a personal employment plan as a condition of eligibility. Testimony presented at these public hearings will be considered in the development of the rulemaking.

8. Administrative Determination of Paternity. Public Act 89-6 requires the Department to develop an administrative process for determining paternity. The process should make paternity determinations easier and improve the Department's ability to collect child support payments. Rulemaking to implement this process is currently being developed by the Department. Testimony presented at these public hearings will be considered in the development of the rulemaking.

Individuals who plan to present testimony are asked to contact either of the following persons by letter, fax or telephone prior to the date of the hearing at which they plan to present testimony. This prior notification of intent to present testimony is requested, but not required.

Dale M. Cone
Office of the General Counsel
Department of Public Aid
310 S. Michigan Ave., Suite 1700
Chicago, Illinois 60604
Telephone: (312) 793-4805
Fax: (312) 793-4812

Kenneth E. Mitchell
Bureau of Rules and Regulations
Department of Public Aid
100 South Grand Avenue East
Springfield, Illinois 62762
Telephone: (217) 524-3215
Fax: (217) 524-2397

The Department will adhere to the following procedures in the conduct of the hearings:

1. Individuals will be recognized to present testimony in the order in which their notifications of intent to present testimony are received by the Department.
2. Individuals presenting oral testimony are asked to provide a written (preferably typed) copy of their testimony. A written copy of the

DEPARTMENT OF PUBLIC AID

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS

testimony is not required.

3. Limits on the length of testimony of each individual may be imposed based on the number of individuals who wish to present testimony at the hearing.
4. No person will be recognized to speak for a second time until all persons wishing to testify have done so.
5. All testimony will conclude at the time specified for the end of the hearing. An individual presenting testimony at that time will be allowed a reasonable time to complete the presentation.

LISTING OF DERIVED WATER QUALITY CRITERIA

Pursuant to 35 Ill. Adm. Code 302. Subpart F, the following water quality criteria have been derived as follows. This listing includes only the water quality criteria that have been used during the period May 1, 1995 through July 31, 1995.

A cumulative listing of criteria as of July 31, 1993 was published in 17 Ill. Reg. 18904, October 29, 1993. Listings of criteria used during subsequent three month periods were published in 18 Ill. Reg. 318, January 7, 1994; 18 Ill. Reg. 4457, March 18, 1994; 18 Ill. Reg. 8734, June 10, 1994; 18 Ill. Reg. 14166, September 9, 1994; 18 Ill. Reg. 17770, December 9, 1994; 19 Ill. Reg. 3563, March 17, 1995; and 19 Ill. Reg. 7270, May 26, 1995.

<p>Chemical: Acenaphthene Acute criterion: 124 ug/l Date criteria derived: November 14, 1991 Applicable waterbodies:</p> <p>Not used during this period.</p>	<p>CAS #83-32-9 Chronic criterion: 9.9 ug/l</p>
<p>Chemical: Acetone Acute criterion: 1,530 mg/l Date criteria derived: May 25, 1993 Applicable waterbodies:</p> <p>Not used during this period.</p>	<p>CAS #67-64-1 Chronic criterion: 122 mg/l</p>
<p>Chemical: Acetonitrile Acute criterion: 375 mg/l Date criteria derived: December 7, 1993 Applicable waterbodies:</p> <p>Not used during this period.</p>	<p>CAS #75-05-8 Chronic criterion: 30 mg/l</p>
<p>Chemical: Acrylonitrile Acute criterion: 910 ug/l Human health criterion (HHC): 0.21 ug/l Date criteria derived: November 13, 1991 Applicable waterbodies:</p> <p>Not used during this period.</p>	<p>CAS #107-13-4 Chronic criterion: 73 ug/l</p>
<p>Chemical: Anthracene Human health criterion (HHC): 35 mg/l Date criteria derived: August 18, 1993 Applicable waterbodies:</p> <p>Not used during this period.</p>	<p>CAS #120-12-7</p>

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

Chemical: Benzene Acute criterion: 5,200 ug/l Human health criterion (HNC): 21 ug/l Date criteria derived: August 15, 1990 Applicable waterbodies: Not used during this period.	CAS #71-43-2 Chronic criterion: 416 ug/l
Chemical: Benzo(a)anthracene Human health criterion (HNC): 0.01 ug/l Date criteria derived: August 10, 1993 Applicable waterbodies: Not used during this period.	CAS #56-55-3 Chronic criterion: 0.01 ug/l Date criteria derived: August 10, 1993 Applicable waterbodies: Not used during this period.
Chemical: Benzo(a)pyrene Human health criterion (HNC): 0.01 ug/l Date criteria derived: August 10, 1993 Applicable waterbodies: Not used during this period.	CAS #50-32-8 Chronic criterion: 210 ug/l Date criteria derived: December 1, 1993 Applicable waterbodies: Not used during this period.
Chemical: Benzo(b)Fluoranthene Human health criterion (HNC): 0.01 ug/l Date criteria derived: August 10, 1993 Applicable waterbodies: Not used during this period.	CAS # 205-39-2 Chronic criterion: 500 ug/l Date criteria derived: July 31, 1991 Applicable waterbodies: Not used during this period.
Chemical: Benzo(k)fluoranthene Human health criterion (HNC): 0.01 ug/l Date criteria derived: August 10, 1993 Applicable waterbodies: Not used during this period.	CAS #207-08-9 Chronic criterion: 280 ug/l
Chemical: Carbon tetrachloride Acute criterion: 3,500 ug/l Human health criterion (HNC): 1.4 ug/l Date criteria derived: June 18, 1993 Applicable waterbodies: Not used during this period.	CAS #56-23-5 Chronic criterion: 280 ug/l
Chemical: Chlorobenzene Acute criterion: 993 ug/l Date criteria derived: December 11, 1991 Applicable waterbodies: Not used during this period.	CAS #108-90-7 Chronic criterion: 79 ug/l

Chemical: Chloroform Acute criterion: 1,870 ug/l Human health criterion (HNC): 130 ug/l Date criteria derived: October 26, 1992 Applicable waterbodies: Not used during this period.	CAS #67-66-3 Chronic criterion: 150 ug/l
Chemical: Chrysene Human health criterion (HNC): 0.01 ug/l Date criteria derived: August 10, 1993 Applicable waterbodies: Not used during this period.	CAS #218-01-9 Chronic criterion: 0.01 ug/l
Chemical: 1,2-dichlorobenzene Acute criterion: 210 ug/l Date criteria derived: December 1, 1993 Applicable waterbodies: Not used during this period.	CAS #95-50-1 Chronic criterion: 16.8 ug/l
Chemical: 1,3-dichlorobenzene Acute criterion: 500 ug/l Date criteria derived: July 31, 1991 Applicable waterbodies: Not used during this period.	CAS #541-73-1 Chronic criterion: 196 ug/l
Chemical: 1,2-dichloroethane Acute criterion: 24,900 ug/l Human health criterion (HNC): 23 ug/l Date criteria derived: March 19, 1992 Applicable waterbodies: Not used during this period.	CAS #107-06-2 Chronic criterion: 4,540 ug/l
Chemical: 1,1-dichloroethylene Acute criterion: 3,030 ug/l Human health criterion (HNC): 0.95 ug/l Date criteria derived: March 20, 1992 Applicable waterbodies: Not used during this period.	CAS #75-35-4 Chronic criterion: 242 ug/l
Chemical: 2,4-dichlorophenol Acute criterion: 631 ug/l Date criteria derived: November 14, 1991 Applicable waterbodies: Not used during this period.	CAS #120-83-2 Chronic criterion: 83.1 ug/l

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

Chemical: 1,2-dichloropropane Acute criterion: 4,800 ug/l Date criteria derived: December 7, 1993 Applicable waterbodies: Not used during this period.	CAS #78-87-5 Chronic criterion: 380 ug/l
Chemical: 1,3-dichloropropylene Acute criterion: 99 ug/l Date criteria derived: November 13, 1991 Applicable waterbodies: Not used during this period.	CAS #542-75-6 Chronic criterion: 7.9 ug/l
Chemical: 4,6-dinitro-o-cresol= 2-methyl-4,6-dinitrophenol Acute criterion: 28.8 ug/l Date criteria derived: November 14, 1991 Applicable waterbodies: Not used during this period.	CAS #534-52-1 Chronic criterion: 2.3 ug/l
Chemical: 2,4-dinitrophenol Acute criterion: 85.3 ug/l Date criteria derived: December 1, 1993 Applicable waterbodies: Not used during this period.	CAS #51-28-5 Chronic criterion: 4.07 ug/l
Chemical: 2,6-dinitrotoluene Acute criterion: 1,910 ug/l Date criteria derived: February 14, 1992 Applicable waterbodies: Not used during this period.	CAS #606-20-2 Chronic criterion: 153 ug/l
Chemical: Ethylbenzene Acute criterion: 216 ug/l Date criteria derived: August 15, 1990, revised May 17, 1991 Applicable waterbodies: 07120004-011/off Des Plaines River 07130006-016/off Little Indian Creek 07130011-002/off unnamed tributary to Sangamon River 0714106-030/off Sandy Creek 0714203-001/off Big Muddy River 0714204-015/off Beaver Creek unnamed tributary to Richland Creek	CAS #100-41-4 Chronic criterion: 17.2 ug/l

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

Chemical: Fluoranthene Human health criterion (HHC): 120 ug/l Date criteria derived: August 10, 1993 Applicable waterbodies: Not used during this period.	CAS #206-44-0 Chronic criterion: 0.00025 ug/l
Chemical: Hexachlorobenzene Human health criterion (HHC): 0.00025 ug/l Date criteria derived: November 15, 1991 Applicable waterbodies: Not used during this period.	CAS #118-74-1 Chronic criterion: 2.76 ug/l
Chemical: Hexachlorobutadiene Acute criterion: 34.5 ug/l Date criteria derived: March 23, 1992 Applicable waterbodies: Not used during this period.	CAS #87-68-3 Chronic criterion: 3.4 ug/l
Chemical: Hexachloroethane Acute criterion: 381 ug/l Human health criterion (HHC): 2.9 ug/l Date criteria derived: November 15, 1991 Applicable waterbodies: Not used during this period.	CAS #67-72-1 Chronic criterion: 30.5 ug/l
Chemical: Isobutyl alcohol = 2-methyl-1-propenol Acute criterion: 434 mg/l Date criteria derived: December 1, 1993 Applicable waterbodies: Not used during this period.	CAS #78-83-1 Chronic criterion: 34.8 mg/l
Chemical: Methylene chloride Acute criterion: 17,200 ug/l Human health criterion (HHC): 340 ug/l Date criteria derived: January 21, 1992 Applicable waterbodies: Not used during this period.	CAS #75-09-2 Chronic criterion: 1,380 ug/l
Chemical: Methyl ethyl ketone Acute criterion: 322,000 ug/l Date criteria derived: July 1, 1992 Applicable waterbodies: Not used during this period.	CAS #78-91-3 Chronic criterion: 26,000 ug/l

ENVIRONMENTAL PROTECTION AGENCY
NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

LISTING OF DERIVED WATER QUALITY CRITERIA

Chemical: 4-methyl-1-2-pentanone Acute criterion: 46 mg/l Date criteria derived: January 13, 1992 Applicable waterbodies: Not used during this period.	CAS #108-10-1 Chronic criterion: 3.68 mg/l	CAS #109-99-9 Acute criterion: 216,000 ug/l Date criteria derived: March 16, 1992 Applicable waterbodies: Not used during this period.
Chemical: Naphthalene Acute criterion: 670 ug/l Date criteria derived: November 7, 1991 Applicable waterbodies: Not used during this period.	CAS #91-20-3 Chronic criterion: 68 ug/l	CAS #108-88-3 Chemical: Toluene Acute criterion: 8,080 ug/l Date criteria derived: August 16, 1990, revised May 17, 1991 and January 26, 1993 Applicable waterbodies: Des Plaines River 07120004-011/off Little Indian Creek 07120007-011/off unnamed tributary to Sangamon River 07130006-016/off Sandy Creek 07130011-002/off Big Muddy River 07140106-030/off Beaver Creek 07140203-001/off unnamed tributary to Richland Creek 07140204-015/off
Chemical: Nitrobenzene Acute criterion: 15.4 mg/l Human health criterion (HHC): 0.52 mg/l Date criteria derived: February 14, 1992 Applicable waterbodies: Not used during this period.	CAS #98-95-3 Chronic criterion: 4.67 mg/l	CAS #120-82-1 Chemical: 1,2,4-trichlorobenzene Acute criterion: 353 ug/l Date criteria derived: December 14, 1993 Applicable waterbodies: Not used during this period.
Chemical: Pentachlorophenol Acute criterion: 20 ug/l Date criteria derived: national criterion, September 1986 Applicable waterbodies: Not used during this period.	CAS #85-01-8 Chronic criterion: 13 ug/l	CAS #71-55-6 Chemical: 1,1,1-trichloroethane Acute criterion: ,910 ug/l Date criteria derived: October 26, 1992 Applicable waterbodies: Not used during this period.
Chemical: Phenanthrene Acute criterion: 46 ug/l Date criteria derived: October 26, 1992 Applicable waterbodies: Not used during this period.	CAS #120-00-0 Chemical: Pyrene Human health criterion (HTC): 3,500 ug/l Date criteria derived: December 22, 1992 Applicable waterbodies: Not used during this period.	CAS #79-00-5 Chemical: 1,1,2-trichloroethane Acute criterion: 19,000 ug/l Human health criterion (HNC): 12 ug/l Date criteria derived: December 13, 1993 Applicable waterbodies: Not used during this period.
Chemical: Tetrachloroethylene Acute criterion: 1,220 ug/l Date criteria derived: March 23, 1992 Applicable waterbodies: Not used during this period.	CAS #127-18-4 Chronic criterion: 152 ug/l	CAS #79-01-6 Chemical: Trichloroethylene Acute criterion: 11,700 ug/l Date criteria derived: October 23, 1992 Applicable waterbodies: Not used during this period.

Chemical: Tetrahydrofuran Acute criterion: 216,000 ug/l Date criteria derived: March 16, 1992 Applicable waterbodies: Not used during this period.	CAS #109-99-9 Chronic criterion: 17,300 ug/l
Chemical: Toluene Acute criterion: 8,080 ug/l Date criteria derived: August 16, 1990, revised May 17, 1991 and January 26, 1993 Applicable waterbodies: Des Plaines River 07120004-011/off Little Indian Creek 07120007-011/off unnamed tributary to Sangamon River 07130006-016/off Sandy Creek 07130011-002/off Big Muddy River 07140106-030/off Beaver Creek 07140203-001/off unnamed tributary to Richland Creek 07140204-015/off	CAS #108-88-3 Chemical: Tetrahydrofuran Acute criterion: 216,000 ug/l Date criteria derived: March 16, 1992 Applicable waterbodies: Not used during this period.
Chemical: 1,2,4-trichlorobenzene Acute criterion: 353 ug/l Date criteria derived: December 14, 1993 Applicable waterbodies: Not used during this period.	CAS #120-82-1 Chemical: 1,1,1-trichloroethane Acute criterion: ,910 ug/l Date criteria derived: October 26, 1992 Applicable waterbodies: Not used during this period.
Chemical: 1,1,2-trichloroethane Acute criterion: 19,000 ug/l Human health criterion (HNC): 12 ug/l Date criteria derived: December 13, 1993 Applicable waterbodies: Not used during this period.	CAS #79-00-5 Chemical: Trichloroethylene Acute criterion: 11,700 ug/l Date criteria derived: October 23, 1992 Applicable waterbodies: Not used during this period.
Chemical: Tetrachloroethylene Acute criterion: 1,220 ug/l Date criteria derived: March 23, 1992 Applicable waterbodies: Not used during this period.	CAS #79-01-6 Chemical: Pyrene Human health criterion (HTC): 3,500 ug/l Date criteria derived: December 22, 1992 Applicable waterbodies: Not used during this period.

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

Chemical: Xylenes	CAS # 1330-20-7
Acute criterion: 1,500 ug/l	Chronic criterion: 117 ug/l
Date criteria derived: August 23, 1990	
Applicable waterbodies:	
07120004-011/off	Des Plaines River
07120007-011/off	Little Indian Creek
07130006-016/off	unnamed tributary to Sangamon River
07130011-002/off	Sandy Creek
07140106-030/off	Big Muddy River
07140203-001/off	Beaver Creek
07140204-015/off	unnamed tributary to Richland Creek

For additional information concerning these criteria or the derivation process used in generating them, please contact:

Bob Mosher
 Illinois Environmental Protection Agency
 Division of Water Pollution Control
 2200 Churchill Road
 Post Office Box 192276
 Springfield, Illinois 62794-9276
 217/782-3362

DEPARTMENT OF PUBLIC AID

REGULATORY AGENDA

a) Part(s) (Heading and Code Citation): Practice in Administrative Hearings (89 Ill. Adm. Code 104) and Medical Payment (89 Ill. Adm. Code 140)

1) Rulemaking: Expand basis for suspension or termination of medical service providers.

A) Description: The Department plans to propose rulemaking to implement provisions under Public Act 88-554 concerning provider compliance with various State requirements, including payment of State income tax, child support payments and repayment of education loans guaranteed by the State of Illinois. This rulemaking will apply to providers enrolled in the Medical Assistance Program such as physicians, dentists and podiatrists, who deliver services to clients. In some cases, such providers fail to fulfill their personal obligations regarding State requirements, while they are receiving State payments for services to Medicaid clients. The proposed amendments will provide the Department with the authority to suspend and terminate such providers from the Medical Assistance Program. Necessary changes in the Department's hearing rules will be proposed in conjunction with these amendments.

B) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]

C) Schedule of Meeting or Hearing Dates: The Department has not established a schedule of dates for hearings, meetings, or other opportunities for public participation in this rulemaking. The Department will accept and consider any written comments that may be submitted in response to this regulatory agenda. An opportunity for public comment will also be provided following publication of Notices of Proposed Rulemaking in the *Illinois Register*.

D) Date Agency Anticipates First Notice: The Department has not determined when Notices of Proposed Rulemaking will be submitted for publication in the *Illinois Register*.

E) Effect on Small Businesses, Small Municipalities, and Not-For-Profit Corporations: The Department is unaware of any effect this rulemaking may have on small business, small municipalities or not for profit corporations. The Department will accept and consider any written comments concerning such effects that may be submitted in response to this regulatory agenda.

DEPARTMENT OF PUBLIC AID

REGULATORY AGENDA

Agency Contact Person for Information:

Joanne Jones
 Bureau of Rules and Regulations
 Illinois Department of Public Aid
 100 South Grand Avenue East, Third Floor
 Springfield, IL 62762
 (217) 524-3215

Related Rulemakings and Other Pertinent Information:

Part(s) (Heading and Code Citation): Assistance Standards (89 Ill. Adm. Code 111)

A) **Description:** In accordance with the methodology established in Section 111.20, the Department will propose amendments to adjust the standard of need for receipt of Aid to Families with Dependent Children effective January 1, 1996. The Public Aid Code requires that the Assistance Standards be updated every January based on changes in the Consumer Price Index for the previous fiscal year.

B) **Statutory Authority:** Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]

C) **Schedule of Meeting or Hearing Dates:** The Department has not established a schedule of dates for hearings, meetings, or other opportunities for public participation in this rulemaking. The Department will accept and consider any written comments that may be submitted in response to this regulatory agenda. An opportunity for public comment will also be provided following publication of Notices of Proposed Rulemaking in the *Illinois Register*.

D) **Date Agency Anticipates First Notice:** The Department has not determined when Notices of Proposed Rulemaking will be submitted for publication in the *Illinois Register*.

E) **Effect on Small Businesses, Small Municipalities, and Not-For-Profit Corporations:** The Department is unaware of any effect this rulemaking may have on small business, small municipalities or not for profit corporations. The Department will accept and consider any written comments concerning such effects that may be submitted in response to this regulatory agenda.

DEPARTMENT OF PUBLIC AID

REGULATORY AGENDA

Agency Contact Person for Information:

Judy Umunna
 Bureau of Rules and Regulations
 Illinois Department of Public Aid
 100 South Grand Avenue East, Third Floor
 Springfield, IL 62762
 (217) 524-3215

Related Rulemakings and Other Pertinent Information:

Part(s) (Heading and Code Citation): Aid to Families with Dependent Children (89 Ill. Adm. Code 112)

A) **Rulemaking:** Eliminate aid for essential persons; Revise quarterly requirement for employment plan; Implement exchange program.

B) **Description:** Federal legislation that is currently under consideration would eliminate aid for individuals defined as "essential persons" under the Aid for Families with Dependent Children program. In the event that such federal legislation is passed, the Department will propose amendments to eliminate assistance for such "essential persons." Timeframes for submittal of the rulemaking are dependent upon federal action.

C) **Part(s) (Heading and Code Citation):** Aid to Families with Dependent Children (89 Ill. Adm. Code 112)

D) **Rulemaking:** Eliminate aid for essential persons; Revise quarterly budgeting; Require employment plan; Implement exchange program.

E) **Description:** The Department plans to propose rulemaking to expand eligibility for Aid for Families with Dependent Children to children attending residential programs when the purpose of enrolling the child is to obtain a general education diploma (GED).

F) **Description:** The Department plans to propose rulemaking to revise the timeframes for reporting earned income of employed recipients of Aid for Families with Dependent Children. This change will reinforce the client's responsibility to report employment and income. Assistance will be discontinued for those clients identified through the use of crossmatches as not having reported employment.

G) **Description:** As one of the welfare reform initiatives mandated by Public Act 89-6, the Department is currently developing rulemaking to implement the provisions that require applicants and recipients to submit a personal employment plan as a condition of eligibility. A new process will begin at intake and redetermination to support clients in their

DEPARTMENT OF PUBLIC AID

REGULATORY AGENDA

DEPARTMENT OF PUBLIC AID

REGULATORY AGENDA

efforts to achieve employment goals. Clients will be required to think about and begin formulating a plan for finding work. Clients will record their education level and work history and assess their strengths and weaknesses on a form which will be developed by the Department.

The Department also plans to propose amendments that will allow clients the earned income disregard and require them to report their earnings on a regular basis.

Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]

Schedule of Meeting or Hearing Dates: The Department has not established a schedule of dates for hearings, meetings, or other opportunities for public participation in this rulemaking. The Department will accept and consider any written comments that may be submitted in response to this regulatory agenda. An opportunity for public comment will also be provided following publication of Notices of proposed rulemaking in the Illinois Register.

Date Agency Anticipates First Notice: The Department has not determined when Notices of Proposed Rulemaking will be submitted for publication in the Illinois Register.

Effect on Small Businesses, Small Municipalities, and Not-For-Profit Corporations: The Department is unaware of any effect this rulemaking may have on small business, small municipalities or not for profit corporations. The Department will accept and consider any written comments concerning such effects that may be submitted in response to this regulatory agenda.

Agency Contact Person for Information:

Judy Umunna
Bureau of Rules and Regulations
Illinois Department of Public Aid
100 South Grand Avenue East, Third Floor
Springfield, IL 62762
(217) 524-3215

G) Related Rulemakings and Other Pertinent Information: None

d) Part(s) (Heading and Code Citation): Medical Assistance Programs (89 Ill. Adm. Code 120)

1) Rulemaking: Revise program for payment of health insurance premiums; Allow appeals of spousal impoverishment allowances; Add requirements for joint assets.

A) **Description:** The Department plans to propose amendments to revise the Health Insurance Premium Payment (HIPP) Program. The HIPP Program pays premiums for cost effective health insurance coverage for clients who have health insurance available and have high cost medical expenses. The amendments should assist the Department in improving the effectiveness of the program.

In an effort to enhance the spousal impoverishment provisions of the rules, amendments will be proposed to allow for appeals of the Community Spouse Resource Allowance (CSRA). The rulemaking will establish the method the Department will use, as the result of an appeal, to determine the amount (if any) over the CSRA maximum of \$74,820 that a resident in a nursing facility may transfer to a community spouse without affecting Medicaid eligibility. The factors for the determination will be outlined in the rulemaking.

The Department is considering proposing rulemaking to address "account rebuttals" for long term care clients. The necessity for this rulemaking may arise due to situations in which relatives claim that assets in joint accounts do not really belong to the recipient. The rulemaking would probably allow the Department to require proof of who owns the asset in question and outline the types of proof that would be considered adequate.

B) **Statutory Authority:** Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]

C) **Schedule of Meeting or Hearing Dates:** The Department has not established a schedule of dates for hearings, meetings, or other opportunities for public participation in this rulemaking. The Department will accept and consider any written comments that may be submitted in response to this regulatory agenda. An opportunity for public comment will also be provided following publication of Notices of proposed rulemaking in the Illinois Register.

D) **Date Agency Anticipates First Notice:** The Department has not determined when Notices of Proposed Rulemaking will be submitted for publication in the Illinois Register.

E) **Date Agency Anticipates First Notice:** The Department has not determined when Notices of Proposed Rulemaking will be submitted for publication in the Illinois Register.

F) **Statutory Authority:** Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]

G) **Related Rulemakings and Other Pertinent Information:** The Department has not determined when Notices of Proposed Rulemaking will be submitted for publication in the Illinois Register.

DEPARTMENT OF PUBLIC AID

REGULATORY AGENDA

E) Effect on Small Businesses, Small Municipalities, and Not-For-Profit Corporations: The Department is unaware of any effect this rulemaking may have on small business, small municipalities or not for profit corporations. The Department will accept and consider any written comments concerning such effects that may be submitted in response to this regulatory agenda.

F) Agency Contact Person for Information:

Judy Umunna
Bureau of Rules and Regulations
Illinois Department of Public Aid
100 South Grand Avenue East, Third Floor
Springfield, IL 62762
(217) 524-3215

G) Related Rulemakings and Other Pertinent Information: None

e) Part(s) (Heading and Code Citation): Food Stamps (89 Ill. Adm. Code 121)

1) Rulemaking: Revise food stamp assistance unit; Increase fair market value of vehicles; Increase standards and allotments.

A) Description: Under a recent change in policy by the federal Department of Agriculture which administers the food stamp program, the Department will be allowed to automatically consider children who are receiving Aid to Families with Dependent Children as part of the food stamp assistance unit. The Department plans to propose amendments to implement this change.

Recent federal legislation, specifically the Mickey Deland Childhood Hunger Relief Act, will require the Department to increase the limit for the fair market value of vehicles limit for purposes of the food stamp program. In accordance with this legislation, the Department will submit necessary amendments to increase the limit to \$4600.

Federal law will also require the Department to submit additional amendments to increase a number of standards and allotments utilized in the food stamp program. Specifically the amendments will increase (1) maximum monthly coupon allotments, (2) maximum monthly income eligibility standards, (3) standard deduction, (4) maximum excess shelter deduction, and (5) shelter standard for homeless

DEPARTMENT OF PUBLIC AID

REGULATORY AGENDA

E) Effect on households.

B) Statutory Authority: Section 12-13 of the Illinois Public Aid Code (305 ILCS 5/12-13).
C) Schedule of Meeting or Hearing Dates: The Department has not established a schedule of dates for hearings, meetings, or other opportunities for public participation in this rulemaking.

The Department will accept and consider any written comments that may be submitted in response to this regulatory agenda. An opportunity for public comment will also be provided following publication of Notices of Proposed Rulemaking in the *Illinois Register*.

D) Date Agency Anticipates First Notice: The Department has not determined when Notices of Proposed Rulemaking will be submitted for publication in the *Illinois Register*.

E) Effect on Small Businesses, Small Municipalities, and Not-For-Profit Corporations: The Department is unaware of any effect this rulemaking may have on small business, small municipalities or not for profit corporations. The Department will accept and consider any written comments concerning such effects that may be submitted in response to this regulatory agenda.

F) Agency Contact Person for Information:

Judy Umunna
Bureau of Rules and Regulations
Illinois Department of Public Aid
100 South Grand Avenue East, Third Floor
Springfield, IL 62762
(217) 524-3215

G) Related Rulemakings and Other Pertinent Information: None

f) Part(s) (Heading and Code Citation): Medical Payment (89 Ill. Adm. Code 140)

1) Rulemaking: Revise enrollment and rate setting for exceptional care; Clarify coverage of private automobiles as medical transportation; Add provisions for subacute care, ambulatory surgical treatment, and postsurgical recovery care.

DEPARTMENT OF PUBLIC AID

REGULATORY AGENDA

A) Description: The Department plans to propose amendments to the enrollment and rate setting processes that are employed in the exceptional care program. Under this program, the Department makes payments to nursing facilities for the care of residents who require a multi-disciplinary level of medical and nursing services that involve exceptional costs related to extraordinary equipment and supplies. The proposed rulemaking will simplify exceptional care rate setting, increase access to exceptional care, and provide Department nursing staff with more time to address quality of care issues.

Amendments to clarify the coverage of private automobiles as a means of transportation to a medical service are planned by the Department. Current rules do not provide any criteria for enrolling private automobiles as a provider of service. The Department will propose that reimbursement for transportation by private automobile should be limited to continuous services or a chronic medical condition rather than for an occasional appointment.

Rulemaking will be proposed to implement the subacute care requirements contained in the Alternative Health Care Delivery Act. This Act establishes a demonstration project that allows licensure of 13 statewide facilities to provide subacute care. The sites include independent licensed nursing homes or hospitals as well as distinct units within those types of facilities. Based on criteria that will be proposed by the Department, this level of care would include patients with medically complex needs who have the potential for being weaned from mechanical ventilation or require physical rehabilitation but cannot tolerate an acute inpatient level of rehabilitation. It also includes those patients who have medically complex needs without the need for weaning or physical rehabilitation who have the potential for improving and being discharged to home or to a less intensive care setting. The Department Plans to propose rules for the specific elements required for coverage of these services which will cover screening procedures, criteria, and utilization review requirements as well as for reimbursement methodology.

The Department plans to propose rulemaking to allow enrollment and reimbursement for services provided by Ambulatory Surgical Treatment Centers. The State Medical Advisory Committee has recommended coverage of these services. Because such freestanding surgical centers maintain low expenses, they are able to provide quality

DEPARTMENT OF PUBLIC AID

REGULATORY AGENDA

health care at anticipated lower costs compared to hospitals.

The Department also plans to propose rulemaking to allow enrollment and reimbursement for services rendered by postsurgical recovery care centers. Under Public Act 87-1188 the Department is required to cover services provided in these newly licensed provider types. The Department of Public Health is required to license and run a five year demonstration program for no more than a total of twelve postsurgical recovery care centers in Illinois.

B) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]

C) Schedule of Meeting or Hearing Dates: The Department has not established a schedule of dates for hearings, meetings, or other opportunities for public participation in this rulemaking. The Department will accept and consider any written comments that may be submitted in response to this regulatory agenda. An opportunity for public comment will also be provided following publication of Notices of proposed Rulemaking in the Illinois Register.

D) Date Agency Anticipates First Notice: The Department has not determined when Notices of Proposed Rulemaking will be submitted for publication in the Illinois Register.

E) Effect on Small Businesses, Small Municipalities, and Not-For-Profit Corporations: The Department is unaware of any effect this rulemaking may have on small business, small municipalities or not for profit corporations. The Department will accept and consider any written comments concerning such effects that may be submitted in response to this regulatory agenda.

F) Agency Contact Person for Information:

Joanne Jones
Bureau of Rules and Regulations
Illinois Department of Public Aid
100 South Grand Avenue East, Third Floor
(217) 524-3215

G) Related Rulemakings and Other Pertinent Information: None

DEPARTMENT OF PUBLIC AID

REGULATORY AGENDA

9) Part(s) (Heading and Code Citation): Medical Payment (89 Ill. Adm. Code 140) and MediPlan Plus (89 Ill. Adm. Code 142)

- 1) Rulemaking: Implement managed care program as MediPlan Plus; Revise Healthy Moms/Healthy Kids provisions.

A) Description: The Department plans to propose rulemaking to implement provisions of Public Act 88-554 concerning a system of integrated health care services. This managed care program, to be known as MediPlan Plus, will create broad changes in Illinois' Medicaid Program, including extensive changes in the Healthy Moms/Healthy Kids Programs which are described in Part 140. Utilizing managed care principles, the rulemaking will provide for an increase in the availability of Healthy Moms/Healthy Kids services, improve the quality of medical care, and control Medicaid costs. The Department plans to adopt the primary rules for this program as new Part 142. MediPlan Plus will serve over one million Medicaid clients with a choice of health maintenance organizations, primary care physicians, managed care community networks, federally qualified health centers, rural health clinics, and insurance companies. The provisions in 89 Ill. Adm. Code 142 are intended to reflect the focus of the managed care legislation to assure that Illinois has an effective and affordable health care system in place for the benefit of clients, the health care community, and taxpayers.

B) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]

C) Schedule of Meeting or Hearing Dates: The Department has not established a schedule of dates for hearings, meetings, or other opportunities for public participation in this rulemaking. The Department will accept and consider any written comments that may be submitted in response to this regulatory agenda. An opportunity for public comment will also be provided following publication of Notices of proposed Rulemaking in the *Illinois Register*.

D) Date Agency Anticipates First Notice: The Department has not determined when Notices of Proposed Rulemaking will be submitted for publication in the *Illinois Register*.

E) Effect on Small Businesses, Small Municipalities, and Not-For-Profit Corporations: The Department is unaware of any effect this rulemaking may have on small business, small municipalities or not for profit corporations. The

DEPARTMENT OF PUBLIC AID

REGULATORY AGENDA

Department will accept and consider any written comments concerning such effects that may be submitted in response to this regulatory agenda.

F) Agency Contact Person for Information:

Joanne Jones
Bureau of Rules and Regulations
Illinois Department of Public Aid
100 South Grand Avenue East, Third Floor
Springfield, IL 62762
(217) 524-3215

G) Related Rulemakings and Other Pertinent Information: None

h) Part(s) (Heading and Code Citation): Developmental Disabilities Services (89 Ill. Adm. Code 144)

1) Rulemaking: Add procedures for appeal of inspection of care for facilities for persons with developmental disabilities.

A) Description: Based on changes under Public Act 87-996, the Department plans to propose rulemaking that provides for an appeal process of the residential assessment conducted by the Inspection of Care team, if the facility believes the assessment does not accurately reflect the conditions of its residents. Examples of conditions which may be appealable include level of functioning, medical and behavioral add-ons, special transportation needs and physician's care plans. The rulemaking would formalize a process that includes final appeal to the State Medicaid agency, as required by federal regulations.

B) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]

C) Schedule of Meeting or Hearing Dates: The Department has not established a schedule of dates for hearings, meetings, or other opportunities for public participation in this rulemaking. The Department will accept and consider any written comments that may be submitted in response to this regulatory agenda. An opportunity for public comment will also be provided following publication of Notices of proposed Rulemaking in the *Illinois Register*.

D) Date Agency Anticipates First Notice: The Department has not determined when Notices of Proposed Rulemaking will be submitted for publication in the *Illinois Register*.

E) Effect on Small Businesses, Small Municipalities, and Not-For-Profit Corporations: The Department has not determined when Notices of Proposed Rulemaking will be

DEPARTMENT OF PUBLIC AID

REGULATORY AGENDA

submitted for publication in the Illinois Register.

E) Effect on Small Businesses, Small Municipalities, and Not-For-Profit Corporations: The Department is unaware of any effect this rulemaking may have on small business, small municipalities or not for profit corporations. The Department will accept and consider any written comments concerning such effects that may be submitted in response to this regulatory agenda.

F) Agency Contact Person for Information:

Joanne Jones
Bureau of Rules and Regulations
Illinois Department of Public Aid
100 South Grand Avenue East, Third Floor
Springfield, IL 62762
(217) 524-3215

G) Related Rulemakings and Other Pertinent Information: None

i) **Part(s) (Heading and Code Citation):** Hospital Services (89 Ill. Adm. Code 148) and Diagnosis Related Grouping (DRG) Prospective Payment System (PPS) (89 Ill. Adm. Code 149)

1) **Rulemaking:** Revised hospital reimbursement provisions in conjunction with implementation of Mediplan Plus

A) **Description:** The Department plans to propose rulemaking to implement provisions of Public Act 88-554 regarding a system of integrated health care services. This managed care program, to be known as Mediplan Plus, will create broad changes in Illinois' Medicaid Program and will impact significantly upon the delivery of hospital services. Therefore, the Department intends to propose amendments to 89 Ill. Adm. Code 148 and 149 in order to specify the reimbursement methodology for hospital services provided in conjunction with Mediplan Plus.

B) **Statutory Authority:** Section 12-13 of the Illinois Public Aid Code (305 ILCS 5/12-13)

C) **Schedule of Meeting or Hearing Dates:** The Department has not established a schedule of dates for hearings, meetings, or other opportunities for public participation in this rulemaking. The Department will accept and consider any written comments that may be submitted in response to this

DEPARTMENT OF PUBLIC AID

REGULATORY AGENDA

regulatory agenda. An opportunity for public comment will also be provided following publication of Notices of Proposed Rulemaking in the Illinois Register.

D) **Date Agency Anticipates First Notice:** The Department has not determined when Notices of Proposed Rulemaking will be submitted for publication in the Illinois Register.

E) **Effect on Small Businesses, Small Municipalities, and Not-For-Profit Corporations:** The Department is unaware of any effect this rulemaking may have on small business, small municipalities or not for profit corporations. The Department will accept and consider any written comments concerning such effects that may be submitted in response to this regulatory agenda.

F) **Agency Contact Person for Information:**

Joanne Jones
Bureau of Rules and Regulations
Illinois Department of Public Aid
100 South Grand Avenue East, Third Floor
Springfield, IL 62762
(217) 524-3215

G) **Related Rulemakings and Other Pertinent Information:** None

j) **Part(s) (Heading and Code Citation):** Child Support Enforcement (89 Ill. Adm. Code 160)

1) **Rulemaking:** Changes in child support enforcement procedures

A) **Description:** Amendments will be proposed to establish a procedure for administrative determination of paternity. The process should make paternity determinations easier and improve the Department's ability to collect child support payments. The implementation of this procedure is authorized by Public Acts 88-687 and 89-6.

Amendments will also be proposed to allow the Department to refer delinquent child support cases to the Department of Revenue for collection. The Department of Revenue will use tax collection remedies to collect child support in these cases. This process is authorized by Public Act 89-6.

The Department also plans to propose amendments to Section 160.70 on reporting delinquent child support obligors to

DEPARTMENT OF PUBLIC AID
REGULATORY AGENDA

consumer reporting agencies. Changes in these provisions are necessary to comply with changes in federal law.

Amendments to Section 160.30, which outlines requirements for cooperation with the support enforcement program for recipients of financial assistance, may also be proposed. The amendments would require recipients of Aid to Families with Dependent Children to only sign an attestation when present at a child support enforcement interview.

The Department may also propose amendments that may be necessary to implement the federal Uniform Interstate Family Support Act, which takes effect on January 1, 1996.

Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]

Schedule of Meeting or Hearing Dates: The Department has not established a schedule of dates for hearings, meetings, or other opportunities for public participation in this rulemaking. The Department will accept and consider any written comments that may be submitted in response to this regulatory agenda. An opportunity for public comment will also be provided following publication of Notices of Proposed Rulemaking in the *Illinois Register*.

Date Agency Anticipates First Notice: The Department has not determined when Notices of Proposed Rulemaking will be submitted for publication in the *Illinois Register*.

Effect on Small Businesses, Small Municipalities, and Not-For-Profit Corporations: The Department is unaware of any effect this rulemaking may have on small business, small municipalities or not for profit corporations. The Department will accept and consider any written comments concerning such effects that may be submitted in response to this regulatory agenda.

Agency Contact Person for Information:

Judy Umunna
Bureau of Rules and Regulations
Illinois Department of Public Aid
100 South Grand Avenue East, Third Floor
Springfield, IL 62762
(217) 524-3215

Related Rulemakings and Other Pertinent Information: None

REGULATORY AGENDA

k) Part(s) (Heading and Code Citation): Demonstration Programs (89 Ill. Adm. Code 170)

1) Rulemaking: Implement demonstration of retinal scanning.

A) Description: The Department plans to propose rulemaking to implement a demonstration of innovative retinal scanning technology as a means of identification. This demonstration will test and evaluate the usefulness of this technology as a means of addressing the problems of welfare fraud. The proposed rulemaking will outline the areas in which the technology will be used and the basis of the evaluation.

B) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]

C) Schedule of Meeting or Hearing Dates: The Department has not established a schedule of dates for hearings, meetings, or other opportunities for public participation in this rulemaking. The Department will accept and consider any written comments that may be submitted in response to this regulatory agenda. An opportunity for public comment will also be provided following publication of Notices of Proposed Rulemaking in the *Illinois Register*.

D) Date Agency Anticipates First Notice: The Department has not determined when Notices of Proposed Rulemaking will be submitted for publication in the *Illinois Register*.

E) Effect on Small Businesses, Small Municipalities, and Not-For-Profit Corporations: The Department is unaware of any effect this rulemaking may have on small business, small municipalities or not for profit corporations. The Department will accept and consider any written comments concerning such effects that may be submitted in response to this regulatory agenda.

F) Agency Contact Person for Information:

Judy Umunna
Bureau of Rules and Regulations
Illinois Department of Public Aid
100 South Grand Avenue East, Third Floor
Springfield, IL 62762
(217) 524-3215

G) Related Rulemakings and Other Pertinent Information: None

SECRETARY OF STATE

JULY 1995 REGULATORY AGENDA

a) Part(s) (Heading and Code Citation):
Certificates of Title, Registration of Vehicles 92 Ill. Adm. Code 1010.180

1) Rulemaking:A) Description:

To establish rules regarding titles and salvage certificates issued pursuant to Section 5/3-117.1(5) of The Vehicle Code.

B) Statutory Authority:

Sections 2-104 and 3-117.1(5) of the Illinois Vehicle Code [625 ILCS 5/2-104 and 3-117.1(5)] as amended by 88-685, effective January 24, 1995.

C) Scheduled meeting/hearing dates: unknownD) Date agency anticipates First Notice: unknown

E) Affect on small businesses, small municipalities or not for profit corporations: none

F) Agency contact person for information:

Name: Robert E. Powers
Address: Assistant Counsel
Secretary of State's Office
298 Howlett
Springfield, Illinois 62756
Telephone: 217/785-3094

G) Related rulemakings and other pertinent information: none

b) Part(s) (Heading and Code Citation):
Dealers, Wreckers, Transporters and Rebuilders 92 Ill. Adm. Code 1020.30

1) Rulemaking:A) Description:

Provide for a process to allow removal of dash assemblies with Vehicle Identification Plate attached without a violation of 625 ILCS 5/4-103(a)(2), (a)(3), or (a)(5).

B) Statutory Authority:

SECRETARY OF STATE

JULY 1995 REGULATORY AGENDA

Section 2-104 of The Secretary of State of the Illinois Vehicle Code [625 ILCS 5/2-104(b)]

C) Scheduled meeting/hearing dates: unknownD) Date agency anticipates First Notice: unknown

E) Affect on small businesses, small municipalities or not for profit corporations: none

F) Agency contact person for information:

Name: Robert E. Powers
Address: Assistant Counsel
Secretary of State's Office
298 Howlett

Springfield, Illinois 62756

Telephone: 217/785-3094

G) Related rulemakings and other pertinent information: none

**JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY**

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of August 15, 1995 through August 21, 1995, and have been scheduled for review by the Committee at its September 12, 1995 meeting. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield, IL 62706.

Second Notice Expires	Agency and Rule	Start of First Notice	JCAR Meeting	9/12/95	9/12/95	9/12/95	9/10/95	9/12/95	9/12/95	9/12/95	9/12/95	9/12/95	9/12/95	9/12/95	9/12/95	9/12/95	9/12/95	9/12/95	9/12/95	
9/28/95	<u>Department of Rehabilitation Services, Assessment for Determining Eligibility and Rehabilitation Needs (89 Ill Adm Code 553)</u>	6/2/95	19 Ill Reg 7305																	
10/1/95	<u>Department of Transportation, Rates to be Charged by Official Testing Stations For School Buses (92 Ill Adm Code 446)</u>	6/16/95	19 Ill Reg 7829																	
10/1/95	<u>Illinois Commerce Commission, Grade Crossing Closure and Opening (92 Ill Adm Code 1536)</u>	3/10/95	19 Ill Reg 2250																	
10/1/95	<u>Department of Insurance, Traditional Long-Term Care Insurance (50 Ill Adm Code 2012)</u>	6/2/95	19 Ill Reg 7291																	
10/1/95	<u>Department of Professional Regulation, The Illinois Nursing Act of 1987 (68 Ill Adm Code 1300)</u>	3/10/95	19 Ill Reg 2658																	
10/4/95	<u>Department of Public Aid, Application Process (89 Ill Adm Code 110)</u>	6/23/95	19 Ill Reg 8060																	
10/4/95	<u>Department of Public Aid, Aid to the Aged, Blind or Disabled (89 Ill Adm Code 113)</u>	6/23/95	19 Ill Reg 8057																	
10/4/95	<u>Department of Public Aid, General Assistance (89 Ill Adm Code 114)</u>	6/23/95	19 Ill Reg 8063																	

PROCLAMATION

95-390

CHILD IMMUNIZATION MONTH

Whereas, the Illinois Department of Public Health estimated that in 1994, 50 percent of children in the Chicago area under the age of two did not receive the appropriate immunizations to enter pre-school; and
 Whereas, CIGNA Health Care and the McDonald's Chicagoland Dealer Association are advocates for these children through their formation of a partnership to implement the program "Immunize for Healthy Lives;" and
 Whereas, Immunize for Healthy Lives will increase the awareness of the benefits of childhood inoculations on a timely basis; and
 Whereas, Immunize for Healthy Lives will provide access to free immunizations; and
 Whereas, by accelerating the number of appropriate, timely inoculations for children, CIGNA and McDonald's can ameliorate an important lack of wellness health practices that include all demographic groups; and
 Whereas, the State of Illinois recognizes the importance of advancing the immunization of children; and
 Whereas, the State of Illinois recognizes the need of providing a healthy and nurturing environment for our children;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim August 1995 as CHILD IMMUNIZATION MONTH in Illinois and urge all citizens to be aware of the important efforts being made toward the immunization of children. Issued by the Governor July 21, 1995.
 Filed by the Secretary of State August 8, 1995.

95-391

ECUADORIAN DAY

Whereas, the Ecuadorian community is a strong and important community that enriches Illinois culturally and economically; and
 Whereas, organizations such as the Ecuadorian Civic Society promote cultural unity in Illinois; and
 Whereas, worldwide, the Ecuadorian community celebrates May 24 in recognition of the Battle of Pichincha, an important event in their quest for independence; and
 Whereas, August 10 is recognized as the Day of Independence for Ecuador; Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim August 10, 1995, as ECUADORIAN DAY in Illinois in recognition of Ecuadorians and Ecuadorian-Americans who contribute to the strength, diversity, and prosperity of Illinois.

Issued by the Governor July 31, 1995.
 Filed by the Secretary of State August 8, 1995.

95-392

SCHWABEN DAYS

Whereas, the Schwaben Center of Chicago was established in 1878; and
 Whereas, the Schwaben Center of Chicago will celebrate its 188th Cannstatter Volkstest in Buffalo Grove, Illinois, August 19-20, 1995; and

Whereas, German Americans and all Illinois citizens can experience the culture and traditions of Germany through the folk music, dancing, games, and fellowship that will be part of the event; and

Whereas, proceeds raised during the festival will be donated to charity;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim

August 19-20, 1995, as SCHWABEN DAYS in Illinois.

Issued by the Governor July 31, 1995.

Filed by the Secretary of State August 8, 1995.

95-393 SCHOOL SAFETY PATROL WEEK

Whereas, the 1995-96 school year marks the 75th anniversary of the School Safety Patrol, which was pioneered by the AAA-Chicago Motor Club in 1920; and Whereas, approximately 500,000 youngsters from 50,000 schools serve on safety patrols; and

Whereas, the Safety Patrol service program has been credited with helping achieve the dramatic decrease in pedestrian death rates for children ages 5-14 in the United States; and

Whereas, members of the School Safety Patrol selflessly devote their time and safeguard the lives of fellow classmates walking to and from the school and the bus stop; and

Whereas, members of the School Safety Patrol perform a valuable community service every day of the school year in a responsible, effective manner; and

Whereas, the School Safety Patrol acquaints children with a better knowledge of traffic hazards and safe pedestrian practices; and

Whereas, the program offers young citizens the opportunity to assume responsibility in the community;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim September 10-16, 1995, as SCHOOL SAFETY PATROL WEEK in Illinois in honor of the 75th anniversary of the patrol and the dedication of the children involved in the program.

Issued by the Governor August 1, 1995.

Filed by the Secretary of State August 8, 1995.

95-394 BREASTFEEDING WEEK

Whereas, mothers and families should be supported in their efforts to nourish their children; and

Whereas, mothers and families should be given the opportunity to make informed decisions about infant feeding through education; and

Whereas, breastfeeding offers advantages to both infants and mothers and is a healthy choice for infant feeding; and

Whereas, studies show that women who breastfeed have a reduced risk of breast cancer and other health problems; and

Whereas, in addition to being economical and convenient, breastfeeding can help reduce the frequency of certain childhood allergies and illnesses; and

Whereas, physicians, hospitals, and public and private organizations throughout Illinois are promoting the importance of breastfeeding during the week of August 1-7, 1995;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim

August 1-7, 1995, as BREASTFEEDING WEEK in Illinois.

Issued by the Governor August 2, 1995.

Filed by the Secretary of State August 8, 1995.

95-395 NENA IVON DAY

Whereas, Nena Ivon was born at Grant Hospital in Chicago, the daughter of an artist and a merchandise manager for Marshall Fields; and Whereas, she spent her childhood in Rogers Park and Evanston and has lived in Streeterville for 25 years; and

Whereas, Ms. Ivon is involved with many charities which include the Chicago Architecture Foundation Auxiliary board, the Chicago Historical Society Costume Committee, Chicago Symphony Orchestra Women's Association, Easter Seals Women's Board, Grant Park Society, Chicago Hearing Society, Prentiss Hospital, Lincoln Park Zoo Women's Board, the Apparel Center Board, and the Apparel Foundation Board; and

Whereas, Ms. Ivon celebrated 30 years as Saks Fifth Avenue's fashion director on August 1, 1995, and in May 1996 will celebrate her 40th anniversary with Saks; and

Whereas, Ms. Ivon will be honored by the Chicago Architecture Foundation on August 8, 1995;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim August 8, 1995, as NENA IVON DAY in Illinois in honor of her accomplishments and community service.

Issued by the Governor August 2, 1995.

Filed by the Secretary of State August 14, 1995.

95-396 BILL CULLERS DAYS

Whereas, every year, vendors from all across the United States visit the Illinois State Fair; and

Whereas, during the last 50 years, Bill Cullers has had a stand on Grandstand Avenue at the Illinois State Fairgrounds; and

Whereas, during that time, Bill Cullers has been fondly remembered as "The French Fry Man" to fairgoers and other fair vendors; and

Whereas, Bill Cullers will be honored this year by friends, family members, and others in the community for his many years of service;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim August 10-20, 1995, as BILL CULLERS DAYS in Illinois.

Issued by the Governor August 7, 1995.

Filed by the Secretary of State August 14, 1995.

95-397

CELEBRATING THE NEXT GENERATION OF THE ILLINOIS COOPERATIVE SOIL SURVEY PARTNERSHIP

Whereas, "The wealth of Illinois is in her soil and her strength lies in its intelligent development." (A.S. Draper, President of the University of Illinois, 1899); and

Whereas, the State of Illinois is dedicated to promoting the conservation

and wise use of our soil, water, air, plant, and animal resources to the end that these natural resources may be used and enjoyed by Illinoisans forever; and whereas, the Illinois Cooperative Soil Survey partnership has worked together for nearly a century to cooperatively investigate, inventory, document, classify, and interpret the soils of Illinois and disseminate, publish, and promote the use of information about the soils of Illinois; and whereas, the soil data provided by the cooperative soil survey is used by Illinoisans to judiciously and efficiently appraise and manage land for agriculture and for rural and community development and to understand, protect, and enhance the environment; and

Whereas, it has long been the objective of the state's soil resources that is complete, current, and meets the need of the users; and

Whereas, the "first generation" of soil survey for Illinois was completed in 1928, the "second generation" milestone was reached this year, 1995, and the "next generation" soil survey for Illinois has begun;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim July-December 1995 as the period for CELEBRATING THE NEXT GENERATION OF THE ILLINOIS COOPERATIVE SOIL SURVEY PARTNERSHIP and recognize the accomplishments and initiatives of the partnership.

Issued by the Governor August 7, 1995.

Filed by the Secretary of State August 14, 1995.

95-398

FOREST "BILL" CULLERS DAYS (REVISED)

Whereas, every year, vendors from all across the United States visit the Illinois State Fair; and

Whereas, during the last 50 years, Forest "Bill" Cullers has had a stand on Grandstand Avenue at the Illinois State Fairgrounds; and

Whereas, during that time, Forest "Bill" Cullers has been fondly remembered as "The French Fry Man" to fairgoers and other fair vendors; and

Whereas, Forest "Bill" Cullers will be honored this year by friends, family members, and others in the community for his many years of service; Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim

August 10-20, 1995, as FOREST "BILL" CULLERS DAYS in Illinois.

Issued by the Governor August 7, 1995.

Filed by the Secretary of State August 14, 1995.

95-399

WOMEN'S SUFFRAGE DAY

Whereas, August 26, 1995, marks the 75th anniversary of the passage of the 19th Amendment to the Constitution of the United States; and

Whereas, this amendment not only gives women the right to vote, but it marks the triumphant culmination of more than half a century of struggle for women's suffrage; and

Whereas, Illinois was the first state to ratify the 19th Amendment; and whereas, because of this amendment, women gained a powerful voice in government and in society; and

Whereas, the Illinois Cooperative Soil Survey partnership has worked together for nearly a century to cooperatively investigate, inventory, document, classify, and interpret the soils of Illinois and disseminate, publish, and promote the use of information about the soils of Illinois; and whereas, these women have a tremendous impact upon society, business, and consumer spending; and

Whereas, a celebration to commemorate the anniversary of women's suffrage will be held at the Illinois State Fair on August 12, 1995; Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim

August 12, 1995, as WOMEN'S SUFFRAGE DAY in Illinois in honor of the 75th anniversary of the suffrage movement in Illinois and the commendable accomplishments of the women in our state.

Issued by the Governor August 7, 1995.
Filed by the Secretary August 14, 1995.

95-400

DRUG FREE YOUTH DAYS

Whereas, the Illinois Drug Education Alliance (IDEA) is presenting its 13th Annual Drug Prevention Conference, "Building Drug Free Youth", on Sunday, November 19 and Monday, November 20 in Chicago; and

Whereas, the Illinois Drug Education Alliance believes Prevention offers individuals and communities an opportunity to stop alcohol, tobacco, and other drug problems before they start and provides hope for effecting individual and community change to support healthy behaviors; and

Whereas, more than 1,000 Illinois young people, dedicated to the "Drug Free" lifestyle, will participate in two days of drug prevention education and leadership training. These young people will carry the "Drug Free" message back to their schools and communities, and become role-models to their peers; and

Whereas, educators, parents, volunteers, and other adults will attend and participate in the 13th Annual Illinois Drug Education Alliance Conference. These adults will train, encourage, and support young people in their choice of the "Drug Free" lifestyle; and

Whereas, the Illinois Drug Education Alliance stands firmly with the Illinois Department of Alcoholism and Substance Abuse and all of its supporting agencies -- the Governor, Lieutenant Governor, Attorney General's Office, the Secretary of State, Illinois Department of Transportation, Division of Traffic Safety, Illinois State Police, Illinois State Board of Education, the Drug Enforcement Administration, Illinois National Guard, University of Illinois Cooperative Extension Service, Mothers Against Drunk Driving, Operation Snowball and Students Against Driving Drunk -- and with the many other state and national organizations that encourage the promotion of sound drug prevention programs;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 19-20, 1995, as DRUG FREE YOUTH DAYS in Illinois in recognition of the Illinois Drug Education Alliance and its supporting agencies in bringing a "Drug Free" message to the youth of our state.

Issued by the Governor August 8, 1995.

Filed by the Secretary of State August 18, 1995.

95-401

GENE AND LINDA EAGLESON DAY

Whereas, Illinois was the first state to ratify the 19th Amendment; and

Whereas, because of this amendment, women gained a powerful voice in

government and in society; and

Whereas, D. Eugene Eagleson, Jr., born and raised in Mattoon, Illinois, has served the community as a Master Sergeant in the United States Army and as an active member of the First United Methodist Church, Rotary Club, Chamber of Commerce, and Masonic Lodge; and

Whereas, Linda Sue Eagleson, born and raised in Mattoon, Illinois, has served community as an active member of the First United Methodist Church, Joyful Singers, Chamber of Commerce, and P.E.O.; and

Whereas, Gene and Linda Eagleson have dedicated their professional lives to assisting and improving the quality of life for others through the practice of pharmacy and nursing; and

Whereas, Gene and Linda Eagleson have dedicated 20 years of their lives to the successful operation and management of Arcade Drug, Inc., in Mattoon; and Whereas, Gene and Linda Eagleson have created a loving home and supported their two children, Theresa Anne and Michael Eugene, for a combined total of 37 years of education in State of Illinois public school systems; and

Whereas, Gene and Linda Eagleson have made immeasurable contributions to their family, friends, church, and community through their dedication and generosity; and

Whereas, August 15, 1995, is the 30th anniversary of the marriage of Gene and Linda Eagleson;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim

August 15, 1995, AS GENE AND LINDA EAGLESON DAY in Illinois.

Issued by the Governor August 8, 1995.

Filed by the Secretary of State August 18, 1995.

95-402 HISPANIC HERITAGE MONTH

Whereas, Illinois' Hispanic-American population continues to grow significantly and contributes greatly to the economic, cultural, and civic prosperity of our state; and

Whereas, Hispanic-Americans have demonstrated their dedication to the ideals and principles upon which the United States was founded; and

Whereas, the countries of Belize, Bolivia, Mexico, Nicaragua, Spain, Guatemala, Honduras, Chile, Costa Rica, and El Salvador celebrate independence days or national holidays between September 15 and October 15; and

Whereas, Congress approved a Joint Resolution September 17, 1968, requesting and authorizing the president to annually issue a proclamation designating the one month period from September 15 to October 15 as National Hispanic Heritage Month;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim September 15-October 15, 1995, AS HISPANIC HERITAGE MONTH in Illinois and urge all Illinoisans to recognize the contributions of Hispanics.

Issued by the Governor August 8, 1995.

Filed by the Secretary of State August 18, 1995.

95-403 STEVE LASKER DAY

Whereas, Steve Lasker has been a news photographer in Chicago for 48 years; and

Whereas, he has been a tribute to the news profession in Chicago, and has

covered a multitude of news stories throughout the last 48 years; and Whereas, he has won awards for his camera work, including an Emmy for his coverage of an I.C. commuter train crash; and

Whereas, he has spent the last 25 years as a cameraman for Channel 2 in Chicago; and

Whereas, he will retire from the station on August 11, 1995;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim

August 11, 1995, AS STEVE LASKER DAY in Illinois and extend my best wishes for a fulfilling retirement.

Issued by the Governor August 8, 1995.

Filed by the Secretary of State August 18, 1995.

95-404 BUD BILLIKEN DAY

Whereas, for 65 years, the annual Chicago Defender Charities Bud Billiken Parade and Picnic has provided free, wholesome, and fun entertainment to thousands of children; and

Whereas, the Bud Billiken observance gives adults an opportunity to share fun and fellowship with youth; and

Whereas, this year's Bud Billiken Parade marks the 66th year of noteworthy celebration; and

Whereas, the Bud Billiken Parade and Picnic has been an outstanding event in the City of Chicago for many years and is worthy of the wholehearted support of all citizens;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim

August 12, 1995, AS BUD BILLIKEN DAY in Illinois.

Issued by the Governor August 9, 1995.

Filed by the Secretary of State August 18, 1995.

95-405 POLLUTION CONTROL DAY

Whereas, the Illinois Pollution Control Board was created in 1970 with the enactment of the state's Environmental Protection Act; and

Whereas, the Board is charged with developing environmental rules and standards, as well as providing a forum by which parties and individuals can appeal such contested cases as enforcement actions, variances, adjusted standards, permit appeals, and landfall siting appeals; and

Whereas, those dedicated individuals who have served on the Board during its 25-year existence have brought with them expertise in law, biology, chemistry, earth sciences, and professional engineering, as well as experience serving in state and local government, the environmental community, and the private sector; and

Whereas, the Board continues to strive to achieve a fair and proper balance between protecting the state's environmental health and assuring the state's regulations are economically reasonable and technically feasible; and

Whereas, the Board has made major strides in speeding up the processing of its ever increasing caseload with fewer resources, this at a time when the state and federal government's environmental mandates grow more complicated; and

Whereas, the Board will continue to assist the state in bringing about the

most effective, yet flexible and economical means of implementing the state's environmental regulatory programs in the future; Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim September 6, 1995, as POLLUTION CONTROL DAY in Illinois.

Issued by the Governor August 9, 1995.
Filed by the Secretary of State August 18, 1995.

95-406

SEYMOUR SIMON DAY

Whereas, since 1988, Seymour Simon has been an esteemed partner in the firm of Rudnick & Wolfe in Chicago; and whereas, he received his B.S. degree from Northwestern University in 1935, his J.D. from Northwestern in 1938, and was admitted to practice law in Illinois during the same year; and whereas, during World War II, Seymour Simon served in the U.S. Navy and was decorated with the Legion of Merit; and whereas, after the war, he practiced law in Chicago until his election to the Illinois Appellate Court in 1974. In 1980, he was elected as a justice of the Illinois Supreme Court; and whereas, during his illustrious career as an attorney and justice, Seymour Simon received numerous awards and honors including, but not limited to, the Northwestern University Alumni Association Award of Merit, the American Veterans Committee Hubert L. Hill Award, the North Park College Citation for Distinguished Community Service, and the Tau Epsilon Rho Legal Fraternity's 9th Annual Public Service Award; and whereas, he also has served as director of National General Corporation, Great American Insurance Company, Bantam Books, Swedish Covenant Hospital, and Schwab Rehabilitation Hospital; and whereas, he is a member of the American Bar Association, the Illinois State Bar Association, the Chicago Bar Association, the Variety Club, and Phi Beta Kappa Associates; and

Whereas, on August 10, 1995, Seymour Simon will celebrate his 80th birthday and will be honored by his colleagues, friends, and family members; Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim August 10, 1995, as SEYMOUR SIMON DAY in Illinois in recognition of his accomplishments, contributions to the citizens of Illinois, and the 80th anniversary of his birth.

Issued by the Governor August 9, 1995.

Filed by the Secretary of State August 18, 1995.

95-407

CENTENNIAL JUBILEE MASS DAY

Whereas, St. Patrick Church of Lemont, Illinois, has a parish that is 155 years old and a church building that is 100 years old; and whereas, Cardinal Joseph Bernardin will join St. Patrick Church in celebrating the 100th anniversary of the church building with a Jubilee Mass; and whereas, St. Patrick Church has contributed greatly to the citizens of Illinois for more than 100 years through fellowship, dedication, and service to the community; and

Whereas, St. Patrick Church has a parish school that invests in and stresses the importance of educating children; Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim August 13, 1995, as CENTENNIAL JUBILEE MASS DAY in Illinois in honor of St. Patrick Church and the 100th anniversary of the church building.

Issued by the Governor August 10, 1995.

Filed by the Secretary of State August 18, 1995.

95-408

MEXICAN INDEPENDENCE MONTH

Whereas, the Sociedad Civica Mexicana de Mexicanos, Inc. is a not-for-profit organization that seeks to perpetuate the customs and traditions of Mexican culture and promote goodwill and understanding among all Mexicanos; and whereas, the Sociedad Civica Mexicana de Mexicanos, Inc. has established a fund to grant \$1,000 scholarships to Latino students; and whereas, the Sociedad Civica Mexicana de Mexicanos, Inc. has sponsored the Fiestas Patrias since 1969; and whereas, President Lic. Ernesto Zedillo will name his official representative to crown the Queen of Mexican Festivities at the Aztec Banquet; and

Whereas, 1995 marks the 185th anniversary of Mexico's Independence and the 26th anniversary of the Sociedad Civica Mexicana de Mexicanos, Inc.; and whereas, Governor of the State of Illinois, proclaim September 1995 as MEXICAN INDEPENDENCE MONTH in Illinois.

Issued by the Governor August 10, 1995.

Filed by the Secretary of State August 18, 1995.

95-409

CHICAGO CHILDREN'S FILM WEEK

Whereas, the Chicago International Children's Film Festival (CICFF), now in its 12th year, will run from Friday, October 6th through Sunday, October 15th; and

Whereas, during the past 11 years, the festival has become the foremost festival of children's films in the United States, involving both adult and child juries and an international jury established to designate the film which best illustrates the United Nations Declaration of the Rights of the Child; and whereas, the parent organization of the CICFF, Facts Multimedia, a not-for-profit film and theatre organization, has been providing Chicago-area children with innovative and inspiring arts programs since 1975; and

Whereas, since 1975, Facets' Children's Film Festival has programmed humanistic children's films as an alternative to violent, exploitative media; and whereas, the festival is made possible in part by grants from the John D. and Catherine T. MacArthur Foundation, the National Endowment for the Arts, the Illinois Arts Council, Children's Care Foundation, Clivarts III, Chicago Department of Cultural Affairs, Polk Bros. Foundation, the WPR-TV Channel 50 Foundation, Albert Pick, Jr. Fund, Mazza Foundation, Columbia College Chicago, Lloyd A. Fry Foundation, United Parcel Service (UPS), Sara Lee Foundation, GATX Corporation, Hariken Foundation, Seabury Foundation, IBM, Lurie Foundation,

35

Marshall Fieldfes, Washington National Insurance Co., the Chicago Cultural Center, Claridge Hotel, and American Airlines; and whereas, the Chicago International Children's Film Festival will screen more than 150 films from 25 nations, providing programming that offers films that stimulate, incite curiosity, entertain, and supplement education as well as investigate cultures from around the world, allowing our local multi-ethnic communities to celebrate their heritage;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 6-15, 1995, as CHICAGO CHILDREN'S FILM WEEK in Illinois and urge all citizens to recognize the events arranged for this time.

Issued by the Governor August 11, 1995.

Filed by the Secretary of State August 18, 1995.

95-410

HARDWARE INDUSTRY WEEK

Whereas, the State of Illinois is the home of the Hardware Industry Week, held in conjunction with the National Hardware Show, the largest annual trade event for hardware and home improvement products; and

Whereas, based in Schaumburg, Illinois, the American Hardware Manufacturers Association (AHMA), sponsor and conductor of the Hardware Industry Week and the National Hardware Show, is dedicated to promoting the growth and development of the hardware industry; and

Whereas, these events provide and unparalleled marketing opportunity for both sellers and buyers of consumer hardware products; and

Whereas, 70,000 visitors from the United States and more than 80 foreign countries contribute \$83 million in business for the city of Chicago and the State of Illinois during Hardware Industry Week and the National Hardware Show; and

Whereas, nearly 15 percent of exhibitors and more than 30 percent of attendees at the four-day August events are Illinois residents working for Illinois-based companies; and

Whereas, the hardware/home improvement business is a positive contributor to the state and national economy, representing more than \$126 billion in retail sales annually; and

Whereas, the hardware industry provides a real service to the property owners of Illinois and the nation;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim August 13-19, 1995, as HARDWARE INDUSTRY WEEK in Illinois.

Issued by the Governor August 11, 1995.

Filed by the Secretary of State August 18, 1995.

ILLINOIS REGISTER
ADMINISTRATIVE CODE ORDER FORM

**PLEASE USE THIS FORM FOR ALL ORDERS OR TO NOTIFY US OF CHANGE OF ADDRESS
ALL ORDERS ARE PAYABLE IN ADVANCE OR BY VISA OR MASTER CHARGE
CHECKS AND/OR MONEY ORDERS ARE PAYABLE TO SECRETARY OF STATE**

MICROFICHE SETS OF THE ILLINOIS REGISTER @\$200.00 PER SET

**— 1977-1978 — 1979 — 1980 — 1981 — 1982 — 1983 — 1984 — 1985 — 1986
— 1987 — 1988 — 1989 — 1990 — 1991 — 1992 — 1993 — 1994**

CUMULATIVE INDICES TO THE ILLINOIS REGISTER @\$1.00 each:

— 1981 — 1982 — 1983 — 1984 — 1985 — 1986 — 1987 — 1988 — 1989

SECTIONS AFFECTED INDICES TO THE ILLINOIS REGISTER @\$1.00 each:

— 1984 — 1985 — 1986 — 1987 — 1988 — 1989

CUMULATIVE/SECTIONS AFFECTED INDICES @\$5.00 each:

— 1990 — 1991 — 1992 — 1993

BACK ISSUES OF THE ILLINOIS REGISTER (current year only) @\$10.00 each:

(Volume Number) (Issue Number) (Issue Date)

ANNUAL SUBSCRIPTION TO THE ILLINOIS REGISTER @\$290.00 (52 ISSUES)

— NEW — RENEWAL

ANNUAL SUBSCRIPTION AND SUPPLEMENT TO THE ILLINOIS ADMINISTRATIVE CODE; PUBLISHED QUARTERLY @\$290.00

(1994 Code & 2 Supplements) (Quantity) (1995 Supplements) (Quantity)

TOTAL AMOUNT OF ORDER: \$ _____

**Check Visa Discover Card Number: _____
Expiration Date: _____ Signature _____**

(IF CHANGE OF ADDRESS, PLEASE LIST THE OLD AND NEW ADDRESS:

_____ (NAME) (PLEASE TYPE OR PRINT) _____

_____ (ADDRESS) _____

(CITY) (STATE) (ZIP CODE) (TELEPHONE NUMBER)

**GEORGE H. RYAN
SECRETARY OF STATE**

**Address:
Index Department
111 E. Monroe
Springfield, IL 62756**

